TOWN OF FOUNTAIN HILLS
MINUTES OF THE REGULAR SESSION
OF THE FOUNTAIN HILLS TOWN COUNCIL
FEBRUARY 17, 2026

A Regular Session of the Fountain Hills Town Council was convened at 16705 E. Avenue of the Fountains in open and public session at 5:30 p.m.

Members Present: Mayor Gerry M. Friedel; Vice Mayor Allen Skillicorn; Councilmember Gayle Earle; Councilmember Brenda J. Kalivianakis; Councilmember Rick Watts; Councilmember Hannah Larrabee; Councilmember Peggy McMahon

Staff Present: Town Manager Rachael Goodwin; Deputy Town Clerk Angela Padgett-Espiritu; Town Attorney Jennifer Wright

Post-Production File

Town of Fountain Hills

Town Council Meeting Minutes

February 17, 2026

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MAYOR FRIEDEL: I'd like to call this meeting to order. Would you please rise for the Pledge of Allegiance?

IN UNISON: I pledge allegiance to the flag of the United States of America. And to the republic for which it stands, one nation, under God, indivisible, with liberty and justice for all.

MAYOR FRIEDEL: And the person that was going to do our invocation tonight could not make it. So we'll take a moment of silence in memory of Jesse Jackson, Nancy Guthrie, and teacher Linda Davis from Georgia. Thank you.

Town Clerk, can we please take roll call?

PADGETT-ESPIRITU: Mayor Friedel?

MAYOR FRIEDEL: Present.

PADGETT-ESPIRITU: Vice Mayor Skillicorn?

SKILLICORN: Present.

PADGETT-ESPIRITU: Councilmember Earle?

EARLE: Present.

PADGETT-ESPIRITU: Councilmember Kalivianakis?

KALIVIANAKIS: Here.

PADGETT-ESPIRITU: Councilmember Watts?

WATTS: Present.

PADGETT-ESPIRITU: Councilmember Larrabee?

LARRABEE: Present.

PADGETT-ESPIRITU: Councilmember McMahon?

MCMAHON: Here.

PADGETT-ESPIRITU: We have a quorum.

MAYOR FRIEDEL: Thank you. And we'll move on to summary of Town events. Town Manager Rachael Goodwin.

GOODWIN: Thank you, Mayor, Council. Thanks to everyone for being here tonight. We have a packed house. I have a -- a wide variety of updates that I'm going to share, so I'm

going to move kind of quickly.

First and foremost, I this was just brought and dropped off here at the dais about three minutes ago. You might have noticed when you came in, we are beginning to promote our 250th celebration as part of the nationwide 250th celebration. You probably saw banners on the Avenue. I'd like to share that our new shirts have arrived, so those. It is a collaboration with state 48. So those are usually highly coveted. They are limited edition, and they will be going on sale to the public tomorrow. So feel free to swing by Town Hall to grab yours. We will also have them available at some select events coming up this spring.

Speaking of events, we hosted the Concourse in the Hills this past weekend. And it was a tremendous success with more than 1,100 cars on display and thousands in attendance. It's a fantastic showcase for the community and a great turnout overall. And I would argue the weather certainly didn't hurt either.

A reminder that this weekend is the Chamber's Fine Arts Festival that takes place downtown. Please be aware of street closures and heavy traffic throughout the downtown area and plan accordingly.

We also have the Teen Takeover scheduled for February 28th at the Community Center, hosted by our Mayor's Youth Council. Details about that are online, but it is open to all of our teens throughout the community.

We also will be hosting our Third Annual Dementia Friendly Summit. It's fast approaching and registration has already surpassed last year's numbers, which is a great sign. This free event is scheduled for March 7th at the Community Center, and it's a valuable resource for anyone impacted by dementia, including caregivers, family members, and friends. We have attendees registered from across the valley, and you can still sign up now through the Town website.

In other news, our public works is well underway. Milling operations on Palomino began this morning. Residents should expect increased heavy truck traffic on the adjacent side streets throughout the week, but it is a good sign that we are moving forward with that project.

You may also notice that we have some new raised pavement markers that were installed in the roundabout last week, and additional markers are scheduled for installation along La Montana later this week, weather permitting.

I want to pause on our updates, and I wanted to take a moment to recognize and thank our financial services technician, Sonia Kukkola . Sonia has been with the Town for 15 years, and she will be retiring on Thursday. Thursday is her last day. And we wish her a wonderful retirement filled with time with her husband, her grandson, and her soon to arrive second grandson. And I would be remiss if I didn't mention I'm sure she'll be spending many hours cheering for her favorite teams, including both the Cardinals and the Phoenix Suns. So thank you so much, Sonia, for all your time.

Finally, tonight is our first meeting under the newly adopted Rules of Procedure and call to the public format. You may have noticed a brief informational video playing as you entered -- we played it a couple of times -- that explains how to participate in our meetings. I'd like to pause and ask that we replay the video now for those here in attendance and those watching online.

VIDEO RECORDING: Hi, you're watching this because you want to know how to take part in public comment at our Town Council meetings. We're thrilled that you want your voice heard, and we're happy to explain the process. First, there are two ways you can speak at Town Council meetings. You can speak on items specifically listed on the agenda. And at the end of the meeting, during call to the public, which is the time to speak on items and issues not on the agenda.

When you walk into Council chambers, you're going to come here and pick up a comment card. If you wish to speak on multiple agenda items, well, you need multiple cards. Once you completely fill out your speaker cards, you're going to hand them to the town clerk who sits right there. All speaker cards need to be submitted by the time the meeting begins. Incomplete or late cards are not accepted. If you wish to speak during call to the public, you must fill out a physical card at the meeting. If you are speaking or wanting to comment only on a specific agenda item, you can also fill out the card online, but it needs to be submitted by noon the day before the meeting.

Speakers have up to three minutes and are called up to speak in groups of three, alternating between for and against, as indicated on the card . Call to the public is limited to 30 minutes total. We appreciate you taking the time to make sure your voice is heard, and we look forward to seeing you at an upcoming Town Council meeting.

GOODWIN: Mayor, the last item I wanted to remind is that we do have a meeting next week. We have our Tuesday on the 24th, we will be having our annual budget retreat meeting. It's so fun. If you guys would like to join us, you are welcome to. We will be here at 8:30 in the morning. It is a usually a very long day, but I appreciate the dialogue and the direction that it provides.

A reminder, that while it is open to the public, we do not take public comment during that meeting. With that Mayor, that's my update.

MAYOR FRIEDEL: Thank you. We have a lot going on in the Town for sure. We'll move on now to proclamations, awards and recognitions and we're going to start with the stellar students.

And the mayor tonight is going to start with the Little Falcons. So we have two recognitions for Little Falcons. The first one is for Hunter Munch from the Little Falcons Preschool. Is Hunter here? So let me read you about Hunter. Hunter always walks into school with a huge smile, ready to learn and play with her friends. She is eager to explore the classroom environment and has shown so much growth in her confidence this year. Her positive nature comes through each and every day. She demonstrates all the characteristics of a great Falcon and is such a joy to have in the classroom. Congratulations, Hunter.

The second one is for Lucas Rubino, and this is kind of special for me because he's my great nephew. So here's the teacher's comments on Lucas. Lucas is a very smart boy. He loves math and numbers. He also enjoys listening to the stories during circle time. Lucas has many friends and loves to play. He is very kind-hearted and often notices the little things that others miss. Lucas is always willing to help clean up, even when he doesn't make the mess. Lucas is a sweet boy, and I love having him in my classrooms. Congratulations, Lucas.

And now we'll move to the vice mayor with the next student.

SKILLICORN: Yes. Lina Jones here. Here she comes. All right. So I'll read this off. Lina Jones is a wonderful student. She works so hard and has made great progress, especially in reading. She's kind and a friend to all. She is always honest and someone you can rely on. We're so proud of her.

MAYOR FRIEDEL: Councilwoman McMahon?

MCMAHON: Thank you. Wyatt Jensen, would you please come up? Hi, Wyatt. Wyatt is such a great kid. He's been working so hard and excelling at school, especially in math. He is kind to everyone around him and has worked hard to get focused and to be a good Falcon in class. We're all proud of his accomplishment. Congratulations, Wyatt.

MAYOR FRIEDEL: Councilwoman Hannah Larabee?

LARRABEE: Is Ms. Rosalind Doka here? Rosalind. Yay. Rosalind Doka is a dedicated and disciplined honor student. She is a quiet, creative, hardworking, and bright student and always a pleasure to have in class. Rosalind works hard and gets along well with everyone around her. She always has a sweet smile to share with everyone. She consistently embodies the values of the Falcon way being respectful, responsible, safe, and kind. These principles are evident in her actions with peers and staff alike, making her a role model within our school community. Thank you, Rosalind.

MAYOR FRIEDEL: Councilmember Watts?

WATTS: I'm looking for Joshua Hill. Joshua is a talented scholar who consistently works hard in class and demonstrating an exceptional commitment to his education. He is involved in our I21 program, which caters to advanced learners in social studies, ELA, and science. He's also a talented artist who has won artistic competitions and even had his work published. Josh embodies the Falcon way every day. He's a quiet learner among his peers showing respect, responsibility, kindness, and safety. He's well-liked and respected by both students and staff. Congratulations, Josh.

MAYOR FRIEDEL: Councilmember Kalivianakis?

KALIVIANAKIS: Thank you, Mr. Mayor. Is Taryn Wolf here? Taryn? Well, maybe she's not, but we still have some nice things to say about her. Taryn is a prime example of

what it means to be a Falcon. She is never afraid to put herself out there and try something new, always representing the Falcon way. She's positive, she's confident, and she's so kind to everybody around her. Not only is Taryn a wonderful student, but she is a very talented -- she's a very talented dancer and a new member to the pom team. It's a pleasure -- her teacher says it's a pleasure to be able to teach Taryn Wolf every day.

MAYOR FRIEDEL: Councilmember Earle?

EARLE: Thank you. So Christian Daniels from the high school. So your teacher Sandra Levine says I can personally attest that Christian Daniels is a true Falcon. Not only is he a responsible and respectful student, his conscientious work ethic is an understatement. His growth has been amazing both academically and as a young student. He is just a great kid. Christian is always helpful and is kind towards his peers. He is always a pleasure to see both in and out of class. I believe Christian will always strive for excellence.

MAYOR FRIEDEL: Now if we can have the Council get behind us here, we can get a picture, a group picture.

So next up we have our veteran of the month recognition. And tonight's honoree is Chris Brant from the British Royal Marines. Let me read a little bit about Chris Brant. Chris Brant is a former British Royal Marine officer who served in Northern Ireland during the Troubles and later commanded Royal Marines aboard the HMS Minerva, where he also worked alongside U.S. Marines and served with the future King of England.

During this period, he met his wife, Ellen, whom he shared over 50 years of marriage with. After military service, he earned a degree from the University of New Hampshire and built a 31-year career in educational textbook sales with Macmillan/McGraw-Hill, serving as president of the Arizona Educational Representatives Association.

In Fountain Hills, Chris became a dedicated member and longtime adjutant of the Marine Corps League Detachment, supporting veterans and community causes. He and Ellen also led major efforts in the Golden Retriever Rescue, organizing successful

fundraisers and parade events.

He was a founding board member of the Fountain Hills Toymakers, helping grow the organization into a major charitable program serving schools, shelters, and hospitals. The couple also coordinated and participated in the home delivered meals program. After becoming a U.S. citizen in 1983, Chris was active in local politics and civic leadership, serving as a precinct committeeman, political club president, board member, fundraiser, and parade organizer, earning community recognition.

Overall, Chris Brant combined military leadership, professional achievement, and decades of volunteer service to veterans, education, animal rescue, and civic life, leaving a strong and lasting legacy in Fountain Hills. Chris Brant, come on up, please.

BRANT: I love this country and it's given me so much. It's given me a bride, a beautiful bride of 51 years now, who I met on the flight deck of HMS Minerva when we visited back in 1973.

As I say, I've met with U.S. Marines around the world, either on a commando carrier or as -- down in Puerto Rico when I was there with our ship, HMS Minerva. I was also in a NATO squadron. So there have been a number of times where we've worked with the U.S. Marines. So when my good friend Tait Elkie came to me and said, would you like to join the newly formed Marine Corps League, then it was an obvious choice, and I was delighted. And I cherish the friendships I've made with the members there. And I thank a lot of you for being here today.

So I am now, as I say, a very proud American. And I'm just going to do a little touch, if you don't mind for a moment. Not too far. No music. Don't need it.

Here we go. There's one more piece I'd like to say. I love this town. And so 25 years ago, when I was reading the Fountain Hills Times, a newbie came along and said, we don't have any culture here.

So the following week, I put something together and sent it to them, and I'll try and remember what I had written. Do you need the artist's brush when you have the desert sunrise? Are you eager for the singer's voice when you hear the coyotes call? Do you yearn for French perfumes after summer squalls have passed? Nay, not me, as I stand in

awe of nature's perfect jewel. But how to tell to those far off who've never ventured close , does the righteous pen succeed where the poet's verse does not? Nay, take my eyes and my ears and my Fountain Hills soul, it's only then that you will know where cultured lives exist.

I thank you for being here. And next weekend, if you come to the stores, if you see, as you will probably see, some of our representatives from the Marine Corps League outside those stores, please go over to them and say, how do you do and thank them for their service.

Again, I love this town. I love this nation, and I'm very proud to be an American citizen. Thank you very much.

MAYOR FRIEDEL: I'll wait for it to quiet down a minute.

Okay. Now we'll move on to the Mayor's Business Spotlight. So today's Mayor's Business Spotlight is The Streets of New York. Today, we are proud to spotlight and congratulate The Streets of New York, a true valley staple since 1976.

This family-owned restaurant has been serving award winning New York style pizza, pasta and Italian favorites for nearly 50 years. After serving Fountain Hills for almost two decades, we are thrilled to welcome them back to our community. Located in Plaza Fountain Side, this beautiful new space offers not only incredible food, but one of the most scenic dining experiences in the East Valley overlooking the park and our world-famous fountain.

With seating for 92 guests, a full bar featuring signature cocktails and a convenient to-go area, Streets of New York is perfectly designed for family diners, date nights, and gatherings with friends.

What makes Streets of New York especially meaningful is not just the food, but their commitment to the communities they serve. Over the years, they have supported local schools, youth sports programs, nonprofit organizations, and community events through fundraisers, sponsorships, and donations. As a family-owned business, they understand that being a part of the community means giving back to it.

From fresh dough made daily to their proprietary sauce and family recipes, Streets of

New York continues its commitment to quality hospitality and creating a true neighborhood gathering place. Please join me in congratulating Lorrie and Ryan. We are grateful for their investment in Fountain Hills and their continued dedication to our community partnership. Please come on down if you're here.

GLAESER: Thank you. Good evening. Thank you, Mayor Friedel, Town Councilmembers. I know some of you. Thank you so very much. And we are so appreciative for the support of the Fountain Hills community.

We've been here for 20 years, and we're so pleased with our new location in front of the Fountain. You've all supported us. You welcomed us with great open arms and we're so thankful.

I was here in Fountain Hills, I believe, in 1977 or '78, when Henry Mancini was playing music for 4th of July in front of the Fountain. I've had a strong connection to Fountain Hills, a desire to want to be here and be with all of you, a warm, lovely community. And honestly, this is what communities are all about is the warmth, the friendship, the support, the children coming in, watching them grow, the systems that develop, the community support.

We thank you for this opportunity. I've been doing this in Phoenix for 50 years with Streets of New York, currently employing 370 employees. I hate to think what that would be over 50 years, but anyway, it's a large number. And I'm so thankful and grateful to all of you and to Mayor Friedel for this opportunity to be here this evening. Thank you so much.

MAYOR FRIEDEL: Okay. Now we'll move on with presentations. Rachael?

GOODWIN: Mayor, tonight we have an update regarding our Community Center and all of the different programs and activities that are over there. While Director Snipes pulls up his presentation, I did want to take a second and thank some of our staff that are back in the back of the room. While they're here, simply for moral support tonight, they are part -- a big part of the reason our Community Center is such a popular amenity in our town. So with that, I will turn it over to Director Snipes.

SNIPES: Thank you. Mayor, Council, as Rachael said, we're here tonight to kind of go

through many of the things that go on in the Community Center. We won't touch them all. We don't have that kind of time. But it's also in recognition of the support that this Council and the Councils before you have given to the Community Center and the importance of that in our day-to-day operations that occur over there and the differences that that has made in the pull that the Community Center now has having some really nice amenities within it and being up-to-date with all the technological advances that have happened. So just want to say a thank you to all of you and the Councils before that have helped towards this process.

When it comes to growth and participation, the Community Center has done a lot of that over the last few years. We've seen the speaker presentations are now averaging over 80 people, and that wasn't -- that was a number that we dreamed to get to was 80 for a single. And now we're seeing that constantly. And that's a tribute to how hard the staff worked to make sure that our presenters are good and they continue to be good. That doesn't come easy. That means off hours, going places, hearing people talk, seeing how they present, and then figuring out if it fits our niche for the people that come to our Community Center. And they're clearly doing that as we're now drawing 100 plus participants in many of our speaker engagements.

Currently, there's 70 plus weekly activities for active adults. That's far and away from where we were when I started here ten years ago. It seems like it's been -- it doesn't seem like it's been ten years, but it has. And so with that means that we're catching more and more people and finding the things that they like and bringing them into the Community Center where they can truly be welcomed and find a place of unity within our town.

This year we tried something a little different to try and draw in some new members. And that was we threw a -- had a comedy show come in. You really got to hit the nail on the head when you're choosing a comedian to come in and talk to a bunch of people. And we ended up with over 250 people that came to attend that and the deal to come in to it was you had to be a member of the Community Center and then it was a free offering to them. And so that proved to bring in a lot of people to become members of

our Community Center or sign up early.

Here's some pictures of just how full all the ballrooms were, lots of people. And it was a very big success.

The Community Center's programming has definitely continued to improve. We're now starting to see waitlists on our programming that we're doing because the participation rate is so high. Some of our biggest ones are line dancing, which if you ever walk by and you look in, the room is completely full end to end. It requires multiple different instructors to make sure that everybody can see what's going on because it is a big success. And we've added night classes as well to help try and accommodate as many people as possible.

Another thing that we never used to do is we have a lot of games that are now out in the lobby, and you see that picture there to the right. Those tables are often full with people playing cards or different types of games on the tables that are just there in the lobby and don't take up a classroom necessarily, but provide a space for us to program and bring people in.

The Community Center's operation has continued to grow. This just gives you kind of an example of how many days of each month that we were open as well as the number of hours that the community center was in operation.

Since we went to having steady hours at the Community Center probably five or six years ago now, something like that, it has really proven to be a successful way to operate the Community Center. People didn't know when to come or when they couldn't come in the past because some days it would be open late and some days it would be closed early. So by having consistent hours, it's made a big difference in the amount of people that can come and know when they come that the Community Center will be there for them.

As we talked about, the memberships continue to grow. We've started doing some different ways of reaching out to people. The newsletter alone is reaching 3,500 people now. They've moved the fliers around in the Community Center so that they're easier to locate as well as we've started adding advertisements for the Community Center in the

park kiosks. And a lot of people are starting to catch that and then it draws them to the Community Center to become members.

As you can see from '24 to '25, we increased our membership. And in '26, we're already at 1,438 and that was as of a week or so ago. So we are seeing a steady climb and that number is above where we were at at this time a year ago. So we're confident that we will once again have our membership increase at the Community Center.

One of the interesting things and things that I may catch a little bit of flack for is that I -- each of the last two years, I've had to ask our town staff to park in the side lot to help make room for the people that are using the Community Center. I've been notified of the 122 steps that it takes to go the extra distance, but our staff has been more than willing to do that, and that also makes a big difference for the people that are coming to use our Community Center.

The attendance growth for the programs that we're running, as you can see, year over year we're continuing to increase those numbers. And this is just the program attendance. So at a 24 percent increase in revenue as well those turn into real numbers, and I know that that was something that this Council asked us to focus more on is trying to increase our revenues. And staff has taken that to heart and worked very hard to make sure that we're offering programs that bring people in and increasing that revenue.

As you can see there, the December program attendance -- and this does not include any of the rentals from '24 to '25 -- increased by nearly 1,000 participants. We're finding that each one of our events is continuing to grow that we're hosting over there. Community services-wide, we have one of the best problems you can have is we're a victim of our own success. We're not growing in the number of people that we have working, but the number of people that are showing up are certainly growing.

And to this staff's credit, they work really hard and continue to push and are willing to take on that extra load that comes along with having more participants and more people that are in on a day-in and day-out basis.

We have lots of new and expanding programs, both. We offer just a little bit of

everything for everyone. We try and find the spots that are hot as well as continuing to bring in new programs to where that we can stay ahead of the curve and figure out what the next best thing is going to be.

Mahjong is one of our big ones right now. We keep having to expand from classrooms to ballrooms and that's a big jump when you start doing that. And then we're filling those up as well.

So we have a really active community that are always willing to come in and spend their time at the Community Center and offering good programs that make people feel welcome is why that happens.

Here's our year-to-date revenues that have been climbing. The Community Center operations itself is at $82,647. And that's year-to-date from 2/11/26 so we just wanted to do a full year run at it, and so that's what these numbers represent. And then our senior services operations revenue is at 82,569, and that's a 36 percent increase year-over-year. So substantial increases in participation as well as in outside rentals that we also talked about wanting to increase so we've been seeing more and seeing repeat customers.

That's not all that the Community Center offers. They have a lot of other things that are -- some behind the scenes and some off-site. But we're now averaging about 18 different pieces of medical equipment per month that are going out to help people that may just need something after an operation or have somebody coming to visit. And our Community Center staff works with them to get them the right piece. Sometimes people come in and they don't even know what they need or what we have, and we can combine the two of those to make sure that they're getting the right equipment and the best equipment that they can get.

We also have our home-delivered meals that are run out of the Community Center. I know several of you have or are currently participating in that, and that's just a great way to get out into the community and make sure that people have at least a good meal each day and spend some time visiting with our residents.

And we have a Give a Lift program and Make a Difference Day as well. The care cards

and crafts, we were just talking this morning during our meeting about how someone that was on our home-delivered meals, who got a care card in craft for Valentine's Day and had reached out, called in, and said how much it meant to them because they were having a bad day, and to see that someone had spent the time to make them a craft and write a nice card to them meant the world to them on that particular day.

So it's just one of those things that we do on an everyday basis to run things. But when it hits home and someone appreciates it, it's really nice to hear back.

There's also been recognition for the Community Center being the best event venue as well as the best community outreach. There's always something going on in the Community Center. So when people come in, we want them to leave a little bit happier than they were when they came in and we're finding that that is the case.

I want to talk about our facility use and the rentals. We're down to having only nine Saturdays left for '26 that are available. So when you ask for us to push and get more weekend rentals, we're doing that as well. And again, with the limited staff that we have that means that everything has to be coordinated correctly. And Jen Lyons does a great job of making sure that we have the right people there for each of the activities, and each one requires somebody different or a different combination and making sure that each person -- each group that comes in gets the same treatment to where that their events run as well as possible.

We just had a bridge tournament over the weekend that saw 250 people playing at it. Those have been very successful. We've had several over the last few years that are three-day tournaments. Really makes good use of the Community Center for weekend setups and tear downs.

Lots of other things that the facility is used for, mayoral debates, Breakfast with Santa, Sensitive Santa, season celebration. All of our holiday celebrations exceeded our expectations again this year, and we keep pushing the boundaries of what we can handle and then talking about what we're going to do next to make next year's even better.

We've gone to where we're starting to combine our departments to have enough staff

to run bigger events at the Community Center as well. As you can see, weddings, baby showers, senior expo, all the blood drives that we do throughout the year. It's a place that has a little bit of everything for the community.

We're really excited about a agreement that we've come to with ASU. OSHA Lifelong Learning Institute will be hosting classes offered by ASU with expert led presentations and learning opportunities for our Community Center members to attend for free as well as bringing in outside people that go all throughout the valley. There's classes offered and people travel throughout the valley to go to those , and so we're really excited to be bringing this in as well.

And we've already gone from talking about doing one and trying it out to scheduling several, just because the partnership has been working so well. We're really excited about the classes and things that they'll be able to bring in that we would never be able to pull off by ourselves. So it's again, a great way to show the partnerships that our staff are building with outside people and bringing those in.

With that, I'll do my best to answer any questions. I do have several staff members that are here in support. And so if I don't know the answer, I may be able to lean on one of them.

MAYOR FRIEDEL: Councilmember Watts?

WATTS: Kevin, I know how much you enjoy these presentations in the limelight, but what I would ask you to do is have your staff stand so we can recognize them as well. You did a great job of introducing them, but they've done an outstanding job supporting us as well so thank you.

SNIPES: Thank you.

MAYOR FRIEDEL: That was a very good presentation, Kevin. And the one thing that I know, having heard this several times in the community, is that our Community Center staff knows just about everybody that walks in the door. So if somebody is missing from an event or a card game or something, they're on it right away. And they check on these people. So that goes above and beyond. And I don't know a lot of other communities that do that kind of thing. So again, kudos to the staff for taking an

interest in our residents and our community so that that's well done. Well done.

SNIPES: Absolutely. All right. Thank you very much. Appreciate it. Have a good night.

MAYOR FRIEDEL: Now we'll move on to our consent agenda. And can I get a motion on that?

SKILLICORN: Motion to approve consent agenda.

LARRABEE: Second.

MAYOR FRIEDEL: We have a motion and a second. Town Clerk, can I get a roll call, please?

PADGETT-ESPIRITU: Councilmember Watts?

WATTS: Aye.

PADGETT-ESPIRITU: Councilmember McMahon?

MCMAHON: Aye.

PADGETT-ESPIRITU: Councilmember Kalivianakis?

KALIVIANAKIS: Aye.

PADGETT-ESPIRITU: Councilmember Earle?

EARLE: Aye.

PADGETT-ESPIRITU: Councilmember Larrabee?

LARRABEE: Aye.

PADGETT-ESPIRITU: Vice Mayor Skillicorn?

SKILLICORN: Aye.

PADGETT-ESPIRITU: Mayor Friedel?

MAYOR FRIEDEL: Aye.

PADGETT-ESPIRITU: Motion passes.

MAYOR FRIEDEL: Thank you. We'll move on to our first regular agenda item. And that's consideration and possible action regarding the Council subcommittee's recommendation for Planning and Zoning Commission to appoint one individual to serve a partial term from February 18th, 2026 through April 30th, 2028.

So I move to appoint Mr. Charles McDermott to serve a partial term on the Planning and Zoning Commission from February 18th, 2026 through April 30th, 2028. I request a

second for that motion.

MCMAHON: Second.

MAYOR FRIEDEL: Okay. We have a motion and a second. Are there any comment cards on this one?

PADGETT-ESPIRITU: No, there is not.

MAYOR FRIEDEL: Okay. Can we get a roll call vote, please.

PADGETT-ESPIRITU: Councilmember Earle?

EARLE: Aye.

PADGETT-ESPIRITU: Councilmember Larrabee?

LARRABEE: Aye.

PADGETT-ESPIRITU: Councilmember McMahon?

MCMAHON: Aye.

PADGETT-ESPIRITU: Councilmember Kalivianakis?

KALIVIANAKIS: Aye.

PADGETT-ESPIRITU: Councilmember Watts?

WATTS: Aye.

PADGETT-ESPIRITU: Vice Mayor Skillicorn?

SKILLICORN: Yes.

PADGETT-ESPIRITU: Mayor Friedel?

MAYOR FRIEDEL: Aye.

PADGETT-ESPIRITU: Motion passes.

MAYOR FRIEDEL: Thank you. And we'll move on to item B, consideration of possible action regarding the solid waste agreement number 2026-044 with Universal Waste Systems. Rachael?

GOODWIN: Mayor, I'm going to turn this over to Director Weldy. But just as a brief preview, we issued an RFP this past fall for solid waste services. This is the conclusion of that process. The director will give us a little overview, and I believe we have a vendor presentation as well. With that, I'll turn that to you.

WELDY: Thank you. Mayor and Council, solid waste agreements for small communities

like this, tight-knit communities can be challenging. For the last nine years, there has been one vendor, but arriving at that vendor almost ten years ago was challenging to say the least. We've had an incredible amount of success going to a single hauler. There have been challenges, but all of our contracts have term limits, and the one that we are currently using is reaching that limit in January of next year.

As part of the process, a very detailed request for proposals is published not only on the Town's website, but several other organizations grab that publishing or that posting and sell their wares and help.

We received two, one of them from the current vendor, which is Republic Services. We are familiar with them. And the second one from a new firm that we were not familiar with.

There are four of us that were selected to serve on this committee, and at times it was challenging. As I look at the Town Manager, her patience were especially running out with me. But when you have hundreds of pages to read and you've got to go back and forth and read the math, and then you have to stop and go to the counter, I don't know, 75 times or take a phone call, it takes a little while. But please note that everyone that served on that committee was vetted and they did their job. And we sat and discussed some portions of it and we reached an agreement. We brought that agreement back to procurement. And we are here tonight to present that agreement to you for consideration.

Now please note that there is a representative from the proposed vendor in the audience, and he has prepared a PowerPoint and would like to share that with you if you're interested. During this time frame, he and I -- and his name is Mr. Blackburn -- we will take questions and do the best that we can to answer them.

So before I open the PowerPoint, are there any immediate questions that we might be able to answer?

Mr. Blackburn. Mayor and Council, let me introduce Mr. Blackburn. He will be doing the presentation tonight.

BLACKBURN: Good evening. Good evening, Mayor, Council. My name is Matt

Blackburn. I'm one of the owners and the vice president of Universal Waste Systems. I prepared just a brief presentation. It's only a couple slides. And really just more of an introduction of our company to you. So I'll run through that real quick, if you don't mind.

First of all, one of the slogans that we use in the company and throughout all of our operation is large enough to serve and small enough to care. We're a family-owned and operated business. My father started the company in 1986. And what's been important to us is that we maintain all the services that the large corporate companies can have. We have MRF experience, organics experience, landfill experience, transfer stations, all the collection trucks.

We build our own trucks. We have our own services. But we always wanted to make sure that we had that personal touch of a private company that we could offer to the cities and the towns and communities that we service. And so that's been very important to us.

So throughout this process, if we're selected, I will always maintain and be a point of contact to you through the term of the contract.

My brother, Mitch Blackburn, is here. He lives in Scottsdale and he's our local representative in Arizona, so he'll be part of it. But you'll always have a member of the ownership that will be part of the community if we're selected to be your waste haulers.

So basically real quick. So we believe we bring a depth of experience. We have a proven track record. We have probably 20 cities in California, Arizona, New Mexico, Kansas, and Missouri.

We see ourselves as a strategic partner. We're going to be part of your community. We're offering a service to your community that some cities offer themselves. So we'll be very involved with you. And then at the end of the day, you always have our personal commitment that the services will be up to the standard, and we'll be here to make sure that that happens.

As I stated briefly, Universal was incorporated in 1986. We have over three decades in the business. UWS was founded and owned and operated by the Blackburn family. I've

said some of this already, but we provide services in Southern California, Arizona, Kansas, Missouri, and New Mexico. We have 25 strategic locations across those five states. We employ over 800 employees, have 350 collection vehicles.

We have experience in organics, which is something that will be coming to the Arizona eventually, MRF recycling services and trash. We operate two landfills. We provide service to over 100,000 single family and between 15 and 20 commercial, industrial and multifamily customers throughout every week.

And then we have a sister company, Spartan Container, that's located in Casa Grande. They build all of our trucks and equipment, and they'll be building all the equipment for this contract if we're selected.

Our customer service is local, so we'll have an office here locally that will handle all the calls. They're backed up by a customer service center in Arizona, New Mexico, and California, but our primary point of contact will be here. We have the ability to translate over 100 languages so we can offer all the services.

I have a few stats. 98 percent of our calls are answered within the first 60 seconds. All the average call length is about a minute and 50 seconds, and our average hold time is less than 30 seconds. So we really pride ourselves on being available to the community and making sure that we're answering the calls when they come through.

This is just a brief video. I know that we're new to the area, so this is one city that we collect. I wanted to just let you see what our trucks look like, our containers, and see us out in the field just to give you an idea of what you would see if we were selected to be in your community. That's one of our collection facilities.

The transition period, as was stated, you know, can be challenging. We think we have it down pretty well. We've done it several times. You know, we'll start with collecting data. Our reps will be out in the field. They'll be doing field audits long before we ever start any of the transition. We work with local vendors that will do all the container transition. And in a minute I'll explain to you how we track those for accuracy. And then all the collection vehicles will be ready in operation before service starts.

So we've partnered with a local company that's created an app for us. And this app

tracks every container movement that we make. So every container that gets delivered and removed from every house within your community will be pictured, timestamped, and dated so that we can verify service as we go through that transition process, which can be complicated. We can always go back. It's all done in real time, so we'll be able to immediately know if the trucks have been there, if the container was exchanged, and we'll have proof of service as we go through. And this will last throughout the contract. All of our bulky items, container exchanges, any missed collections, anything like that will go through the system. So we're always tracking.

At the end of the day, our core values are centered in faith, trust, integrity, and hard work. It's our commitment to provide exceptional service at a fair rate to the communities we service. And you have our families guarantee on that. So I'm here and welcome to answer any questions that you may have.

MAYOR FRIEDEL: Councilwoman. I'm sorry, Vice Mayor Skillicorn.

SKILLICORN: Thank you, Mr. Mayor. I just want to thank staff for putting this together. I mean, looking through this, it all seems so professional. It seems like it's very thorough. You know, both companies gave you know, a bid that, you know, seemed to meet the needs. There are some minor differences, but there's also intangibles.

When I do a little a little bit of research myself, I go to websites of the companies. I do notice Republic has a DEI program. I do notice that they have 100 percent score of HRC ,which really doesn't meet the values of Fountain Hills. And frankly, Fountain Hills has an ordinance against that. So I think the choice is just crystal clear. So I'd like to make a motion to approve this as drafted for Universal Waste Management or Waste Systems.

LARRABEE: Second.

MAYOR FRIEDEL: Councilwoman McMahon?

MCMAHON: Excuse me. Thank you very much. If you don't mind, Justin, I have a couple of questions. Okay. I want to say thank you to the committee. I appreciate your time and diligence. The only information I have about this process so far is what's on the agenda so it's public knowledge that I'm going to inquire about.

I understand the score was very, very close, and I'd like to know if there were face-to-

face interviews conducted with both candidates.

WELDY: Mr. Mayor, Councilmember, no, we did not. The committee did not elect to have a face-to-face meeting with either one of the applicants. We felt that what they submitted was sufficient, plus all of the amount of time and research that we did.

MCMAHON: Okay. I also have concerns about the fact that Republic is a lot more experienced in representing municipalities and in waste disposal and pickup and this town -- this company is new to Arizona. They currently pick up trash in a very small unincorporated town, Arizona City in Pinal County, consisting of 5,300 homes. I'm sure we have a lot more homes than that. And it concerns me, their experience compared to our long-term 15-year relationship and experience with a quality company like Republic. So I have concerns about that and I'm just letting you know.

In addition I noticed that in the agenda, it talked about that the applicants had to provide collection route schedules and maps. They're required in order to have the application considered, and it states that the proposer shall include a proposed route schedule and maps detailing the collection areas, route sequence, corresponding days of the week. It's mandatory. I didn't see it. One minute. Let me finish. So then you can address it. Okay?

In essence, this is their book of business. And so you know, usually when a person is applying for a job or whatever, they do their due diligence and they apply, especially a service company, is going to provide this information. So why wasn't an actual -- do you know why an actual map was not provided even though it stated it's required?

WELDY: Mr. Mayor, Councilmember, so there are several things in the submittal process and the request for them where the word shall appears. If you read a little bit further down into the next paragraph, we use the word may. And that allows for not only the Town, but the committee members, to determine whether or not the submittal package is complete. In regards to this one, we felt that the package was complete. Please note that as part of this agreement, we will work through the current vendor and if they are selected, the new vendor, to develop these routes and make sure that all of the route information is accurate.

MCMAHON: I have a question about that too, because again, why are they relying on their competitor to provide this information? Have they already agreed in writing to give this information or not?

WELDY: Councilmember, they're not relying on the competitor. They're relying on Town staff. And we've simply not provided that yet.

MCMAHON: Is it Town staff's job to provide that information?

WELDY: Yes. Yes, ma'am, it is.

MCMAHON: Okay. Thank you for asking that.

MAYOR FRIEDEL: Time, I think. We're allowed a couple of minutes.

MCMAHON: I'm asking questions due to the presentation. Please. Thank you. And I have a couple of them. Is their trash pick-up going to be like on the same day? Are they going to provide hazardous waste and electronic waste pickup annually and provide for that because that's a couple hundred thousand dollars in value that Republic already provides.

And you know, I'm not sure about the contract savings because, you know, I know that the contract says it's five years and in what is it, three years they can raise it up to five percent. Where I understand Republic raises, you know, has a cap of three percent. So in the long run if some of the similar and same services aren't provided it's really -- it's really -- may cost the town more. So I have concerns about the reality of the cost and the true savings that each consumer is going to receive.

And there's another area, too, that it states in there that they don't have a contract with Republic's recycling facility, that if they don't get that written agreement, then do they have that written agreement?

WELDY: So Councilmember, there's a whole lot of questions that we're going to kind of unpack them in categories. So let's go all the way back.

So the service level or the level of service and the dates of service will not be impacted by this new agreement. It will be the same date. The difference will be in regards to the bulk waste will be quarterly and it will be on the same day that the regular is picked up. In regards to the household hazardous waste and electronic recycling event, there is a

minor change to that and that changes -- the vendor has offered to provide to us the restroom facility and the handwashing facilities for those events. We'll discuss some other ones later on as part of the agreement.

In regards to the current contract and the rate increase, there is a section in that paragraph that states they are required to submit that in advance to the Town. And not like any other contract if there is a substantial change that exceeds the procurement or the Town manager's authority, staff will be right back in front of this elected body or the elected body at that time to discuss that.

MCMAHON: Okay. And what about their trucks?

LARRABEE: Mayor, point of order?

MCMAHON: The current ones are, you know, is it going to be more damage to the streets or not? And in addition, I'd like to go back and revisit the green recycling center.

LARRABEE: Point of order.

MAYOR FRIEDEL: What's your point of order?

LARRABEE: Mayor, our new policies say that you have two minutes, and then other people would be permitted to speak. I don't believe a timer was even set.

MAYOR FRIEDEL: Would you finish this one question and then we'll move on to the next councilperson?

MCMAHON: Could you please address my question about they don't have a contract with Republic for the recyclables, and they'd be driving out to Apache Junction. And my concern with that is that's 30 some miles away from here. The wear and tear on the Beeline highway, the wear and tear on streets to Mesa, the wear and tear on Highway 202. I mean, do -- is our -- that is a considerable consideration to make. Are there inter-government agreements about that? You know, do you need to involve MAG or anything like that? Because that's going to create damage to streets that we have no business creating damage to. And I have a really big concern about that as far as liability for the Town.

WELDY: Councilmember, so the logistics and the transportation related to that. All of their trucks are state of the art. They are providing trucks from a neighboring state that

has far more compliance mandates than this little community. In regards to the use of the state and local highways, there's not going to be a substantial increase for the recycling. Most of the same transportation or logistics are going to be going to nearly the same areas.

In regards to bearing the responsibility to haul that recycled material to a different location, that's not our responsibility to manage, it's theirs. Our responsibility is to ensure that they comply with the agreement.

MCMAHON: I understand that, but we don't drive -- we have it right here down the street. We don't drive that far with our trucks.

WELDY: Well, not getting into the weeds a whole lot further, you'll recall that that facility burnt down some time back and the Town's recyclables were taken to another location. So I'm not going to get into their business and what they may or may not be able to accomplish in the future, but they have currently met the requirements for us to bring it forward tonight.

MCMAHON: Thank you for answering my concerns. I sincerely appreciate it.

WELDY: You're welcome.

MCMAHON: -- and thank you for letting me ask that.

MAYOR FRIEDEL: Councilman Watts?

WATTS: Justin, I'm going to try to be succinct as I can, and I ask for your succinctness as well. One of the things that jumped out at me was in the certificate of insurance. It says the City of Fountain Hills. We're a Town, and sometimes the additional insured can be problematic. So I ask that we make sure we get that changed.

Have we ever had any rejected loads for recycled materials?

WELDY: Mr. Mayor, Councilmember, are you referencing the current agreement with Republic?

WATTS: As it stands today, have we ever had any rejected loads for hazardous materials?

WELDY: I'm not aware of any. And had there been any, it would have been to them, -- from them to their own facility.

WATTS: Thank you. The liquidated damages, are they stipulated in the contract?

WELDY: Yes, sir.

WATTS: And a payment bond -- I saw a performance bond, but I don't see any payment bond. Is there a payment bond required?

WELDY: Yes. And all of that will be part -- and it's a relatively large sum of money that will be part of the agreement and handled through the procurement officer.

WATTS: Right. They got an 88.8. What was the missing 11.2?

WELDY: I can only comment on the stuff that I reviewed and not the others because I don't see what their response is. There are simply some things that they didn't measure all the way up to ten. Maybe they got a seven and a half, in my opinion.

WATTS: Nothing jumps out at you as to anything that's problematic?

WELDY: No. Anything that I had any concerns about I did my research on and spoke to others in the building regarding that concern.

WATTS: Thank you. I think that overall, I thought that the staff did an excellent job. I thought the RFP was extremely detailed. The responses were extremely good. Is there anything in United's or Universal's proposal that is currently -- that they have excluded that Republic has included?

WELDY: No, sir.

WATTS: So it's whether it's grants, whether it's the number of bulk, anything that Republic does today, we've got it included in the Universal's proposal?

WELDY: Just to be clear, one has nothing to do with the other. The solid waste agreement has nothing to do with the grants.

WATTS: I understand that, but Republic has been beneficial to the Town by providing grants and funding and ancillary type of support to the Town. Do we have that same expectation for Universal?

WELDY: Not standing before you tonight, sir. I'm not going to put them on the spot and ask them for something. It would be inappropriate for me to ask that as a contract administrator.

WATTS: You want me to ask them?

WELDY: You're more than welcome to ask any questions you'd like, sir, of them.

WATTS: Thank you.

WELDY : You're welcome. On behalf of the staff that did the work there behind me, thank you.

MAYOR FRIEDEL: They did. They did do an excellent job. Councilmember Earle?

EARLE: Okay. Thank you, Mayor. I want to appreciate all the work that you did for with both companies working on these RFPs and looking into the next possible trash hauler that we have. I would like to confirm one of the things I had a couple residents ask me about. Does the new contract allow seasonal residents to put their service on hold when they're not here?

WELDY: Mayor, Councilmember, the answer to that is yes.

EARLE: Great. Okay. And then I wanted to just confirm we're going from one bulk pickup a year to four bulk pickups a year without an extra cost to the residents. Is that correct?

WELDY: That is also correct, Councilmember.

EARLE: And then I heard possibly there would be free portable restrooms at Town events. Am I hearing that right? That's a possibility?

WELDY: Councilmember, we currently have an agreement for two recycling events. Staff will work with the vendor on the balance of the events.

EARLE: Okay. And did you want to answer that? Okay.

BLACKBURN: Sorry about that. Yes. That is something that we do in every city. So every event, your Christmas parades, Christmas parties, 4th of July events, whatever events happen throughout the community, we'll provide all of the portable toilets, hand washing stations and the trash as part of our service. It's something we do company-wide for every community that we serve.

EARLE: Without an extra fee?

BLACKBURN: No extra fee. No, it would be included. And we're willing to add that as an amendment to the contract, it should have been in there from the beginning. It's something we always do.

EARLE: Thank you.

MAYOR FRIEDEL: Councilwoman Larabee. Oh, I'm sorry, Brenda.

KALIVIANAKIS: Thank you, Mr. Mayor. Yeah, I'll make it really brief, and I would like to reserve time after the comment cards to make another statement, but when I'm looking at this, the average score 87.8 to 88.8. This was a close call, no doubt. Is that correct?

WELDY: Mr. Mayor, Councilmember, that is correct.

KALIVIANAKIS: Yeah. And so I think I think that's important to bring out. Regarding the recycling facilities, which I think is an important component, I know Republic and the waste hauling is pretty close cost-wise. The recycling element, Republic is slightly more Now you and I and part of this Council went to Republic, and we looked at the new recycling facilities that are state of the art.

And it was a great tour, and I know they spent a lot of money trying to get clean recycling that is actually usable as compared to a lot of the country when there's a lot of recycling, but there's so much foreign matter in there it's basically it's garbage and it gets hauled off to China.

This facility that I guess they're not going to be using that's going to be in Apache Junction, are you familiar with that recycling facility?

WELDY: Yes. Councilmember. I'm familiar with the landfill and the recycling facility.

KALIVIANAKIS: And again, is that a state of the art, up to date facility? Because they are -- there's a substantial savings going to that one as compared to Republic. Could you just give us your observations?

WELDY: I would use the term, it's an efficient one. It's certainly not as new as the near or the closer one. It is an efficient facility that operates at the capacity designed.

KALIVIANAKIS: And again, when they -- the recycling process, is it as pure and usable as the one that they use for Republic, because we specifically talked about that when we did the tour, that when you have the recycling facility, it's -- the bundles that come out are they usable for recycling or not? And we had a conversation on that. And I'm just wondering, is the one in Apache Junction going to be as high quality as the one that we're currently using?

WELDY: I'm not able to answer that question because I have not reviewed their finished product bells that they prepare.

KALIVIANAKIS: Okay. Thank you.

WELDY: You're welcome.

MAYOR FRIEDEL: Councilwoman Larabee?

LARRABEE: Justin, I want to first of all thank you and your staff for all of your hard work on this. I know that we had our executive session not that long ago. Well, actually fairly long ago regarding the RFPs on these. So thank you for putting these together. My question was, I think you had mentioned how many proposals did we receive that were complete?

WELDY: Mayor, Councilmember, we received two proposals.

LARRABEE: We received two. And this was the more affordable option, the cheaper option?

WELDY: Councilmember, it was not only the more affordable, but it checked several other boxes for the different reviewers. There were four of us.

LARRABEE: Thank you. And out of the four reviews if you're willing to share was it unanimous? Was it kind of tight? What was kind of the feeling of that room for the committee?

WELDY: I would be the outlier on that. My score didn't align with some of their scores. It's a little bit different. I've been doing this for quite a little while here for solid waste. Outside of that, yes you could refer to it as unanimous in regards to the winning score.

LARRABEE: Thank you. No further questions.

WELDY: You're welcome. And thank you for the kind words again. The people that do all the hard work are back here, I believe. They were. They were when this meeting started.

MAYOR FRIEDEL: They're ducking right now. I think we'll move on and see if there's any comment cards from the public on this.

PADGETT-ESPIRITU: Yes, Mayor. The Town received two written comments with the position of for, and we received five cards from individuals requesting to speak. So with

that being said, I will start with Larry Myers, followed by Siddiq Young and then Tammy Bell.

MYERS: Mayor, Council. So Larry Myers, 44-year resident, and I was here when we had lots of trash haulers, and they did just fine. Then we got a single hauler. My bill went up. My service went down. That would be Republic. Did I put up with them? Yeah, I put up with them. But when a contract comes up and you look at it, and from what I can read and also having the benefit of having a pretty highly acknowledged family member in the waste management business, by its very name, I had my own research team do the research on this company. They compete vigorously in Southern California where it is much stricter than here. You can't breathe over there. Am I right? So I don't have any doubt that they'll do just fine collecting our trash from Fountain Hills. We have 10,578 single family homes, I think, at my last count in Fountain Hills.

So okay -- so they serve a city that's half as big. I look forward to you guys approving this contract, because four bulk pick-ups a year, as opposed to one on the property sizes that are here in Fountain Hills is a major cost savings to residents. Big. I use it a lot, and I pay a lot of hauling costs down to the dump because we only have one pickup.

So wherever I can save some money, I like to save it. I'm sure that's the way the Fountain Hills residents see it as well. I think these guys will do just fine. A trash truck is a trash truck, in my view, and I don't really give a crap whether they beat up the 202 or not because if you ever go on that road, there's lots of trucks on it.

So and by the way, my wife happens to be employed by the Pima Reservation, so that landfill is part of her overall employer. And I think -- I hope you guys approve this contract because I see cost savings in it. I see conveniences in it that I don't see from Republic, I never have seen from Republic, and I never really wanted Republic.

So I was, like I said, I was happy with my previous hauler when we had lots of haulers, and I don't think we'll see any additional damage to the streets because a route is a route is a route. Thank you. Please approve this contract.

YOUNG: Hello. Good evening. Mayor Friedel, members of Council. My name is Siddiq Young. I'm here on behalf of the men and women at Republic Services. I'm the general

manager of the North Phoenix business unit. And these are the men and women who diligently serve your community picking up curbside waste and recycling over the last few years. But I'm not here to talk about our years' long service and our impeccable record of care and dedication to your constituents, but I'm here to talk about and discuss your plans for the future.

We want to remain in Fountain Hills. Our drivers want to continue serving the community here in Fountain Hills. And I heard a few comments here during the previous statements, and I wrote some notes here. And I want to just kind of address a few items.

Our bid for service, we believe, was fair and complete. We responded to all of the requests in the bid for service. And based on the notes and some of the comments I hear today from the staff report, it appears the recommendation was made based on price.

We understand that our rate was higher than our competitor. We also understand what it takes to run the routes effectively in this town. And so we pride ourselves on our ability to keep your streets safe as our huge trucks into your neighborhoods and we're remaining consistent and having reliable equipment here and a staff that cares about your community. So while price is important, but cheaper is not always better.

As we reviewed the staff report, I heard a few comments here as well. So I just want to touch on a few things. There were a few questions that arise for us and that we ask that you, Mayor and Council, review the bid from our competitor, Universal Waste Services, to confirm our findings in their responses. We do not believe their bid was complete.

Number one, the RFP required a financial statement to be included in the bid, which was worth ten points to the final score. During our review of the published staff report, we could not find any financial statement from UWS. It's possible we missed it or that it was redacted. However, based on what was published, it does not appear to have been included by UWS in the original bid.

Number two, the RFP required the proposed, excuse me, route maps and scheduled route days, which was also discussed here today, included in the bid. We couldn't find

any indication that UWS provided this detail. Instead, they stated in their bid that they planned to utilize collection routes provided by us, the current service provider, but that was not the requirement of the bid. The requirement was to present a plan. Pricing is based on the number of drivers and trucks you will need and the hours per route. Without a route plan, you cannot estimate cost accurately.

Number three, the RFP required proof of disposal site ownership or a letter certifying you have access to a disposal site. We own and operate the Salt River recycling facility, as was mentioned up here. And at the time of the bid submission, we had not provided a letter of confirmation to UWS. However, in their bid, they stated UWS plans to utilize the Republic Services recycling facility for the commingled recycling.

Just to move forward, we are unable to secure a timely disposal commitment letter from Republic. So again, to price the service, you must know the cost to process recycling. How can pricing be accurate without this information? If I could get two more seconds, please.

MAYOR FRIEDEL: Time's up.

YOUNG: Time up.

MAYOR FRIEDEL: Sorry.

YOUNG: Thank you so much.

BELL: Good afternoon. Mayor, Vice Mayor, Councilmembers and staff. My name is Tammy Bell. I'm a 20-year resident of Fountain Hills, and I am here to speak as a resident, not on behalf of anyone else.

You are faced with a decision tonight with a very narrow scorecard, one point. And I know that the committee worked very hard, and I respect the amount of work and time that they put into that. In addition to the committee scoring, I am here to respectfully ask you to also consider the values in the history of our town.

I'd like to share a quote with you. Whether you volunteer with organizations across the Town, support our local businesses, or attend our events, including the monthly Coffee with the Mayor, you are helping make this such a special place, a positive place where we all come together to help each other. Do you remember who said that? It was

Mayor at the State of the Town last month. And I wanted to bring that up because, Mayor, you said it beautifully. You stated the true spirit of Fountain Hills.

We are a town with deep rooted connections and a culture that celebrates who lives here, works here, and serves here well. We demonstrate -- you demonstrated that tonight with stellar students, with honoring our veteran, honoring our local business. The Hall of Fame celebrates individual service. The Chamber Gala celebrates contributions that enhance our quality of life. And the Fountain Hills Community Foundation, we know they work so hard to raise money and give it right back into our nonprofits. No one could argue that Fountain Hills is a special town with small town character that values service, partnership, and those who invest in our community's well-being.

So with that, I return back to the agenda item. These two companies are separated by one single point. I would really like you to consider what is not on that spreadsheet. Republic Services has done just as the Mayor has encouraged us all. They have had a partnership with this town. They have invested in local nonprofits. They have supported community events. They have shown up consistently. They are not just a vendor or a signature in a contract. They are a known and trusted partner who has intentionally become a part of the fabric of our community.

I respectfully ask you to consider not only the committee's recommendation, but place real weight on relationship, trust, history, and demonstrated generosity because those very things are what makes Fountain Hills a very special place to live.

Now, please don't just take my word for it. If any of you know me, you know I like data. So I did some research, and I did find that the longest running study, the Harvard Study of Adult Development, does show that HQR's -- that's a high quality relationship -- are one of the strongest predictors of individual health, community well-being, and long-term economic and social stability. That said, communities thrive when relationships are strong. And I'm just here today to say, I hope you take that perspective into mind when you make your decision. Thank you for your service.

PADGETT-ESPIRITU: Next we have Jonathan Philippe, followed by Cathy Kularides.

PHILIPPE: Good evening, Mayor and Councilmembers. My name is Jonathan David Philippe, and I've spoken here before. I'm thirteen years old, and I want to start with one simple idea. The decision you make tonight can shape the kind of town my generation grows up with, and the kind of town our seniors can continue to live in comfortably.

I understand the Council is considering replacing Republic services with a new refuse contractor. I know budgets and contracts matter, but I respectfully ask you to consider something just as important, community impact and long-term relationships. Republic Services hasn't only collected trash in Fountain Hills, they have supported organizations that help young people, including programs that provide safe places, mentorship, and prevention efforts to keep teens healthy and on the right path. Those programs make a real difference to families and kids like me.

At the same time, Fountain Hills is a town with many senior residents. Reliable, consistent services are not just convenient. They help seniors remain independent and comfortable in their homes.

Consistency matters here more than in most places because stability is one of the reasons people choose to live in this community. Changing contractors isn't just changing trucks. It can mean confusion, transition problems, and the loss of relationships that took years to build. A new company may make promises, but a company that has already served this town has a record we can see.

I am not saying that Universal Waste Systems is bad, but I feel Republic Services is the better option. So before making this decision, I respectfully ask you to think about what Fountain Hills values most, stability, relationships, and people who invest in this community over time.

I may only be 13, but I know this. A town that takes care of its seniors and invests in its kids is a town that's thinking ahead. And before you vote, please remember trash contracts can be replaced, but trust can't. Thank you for your time.

KULARIDES: Mayor Friedel, Councilmembers, that was a tough act to follow. Ditto what Jonathan said. This is an important decision. Buyer beware. We are dealing with an

organization that has been serving our community for many years. We know who they are. They know who we are. They operate safely in our community. They operate with a steady hand. And I think it's important for us to make sure that we know exactly what we're buying here.

A lot of companies will come in low bid to try and get that business, and you don't know where it's going to go. We know what we have right now with Republic Services. And as a 19-year resident of Fountain Hills, I am against the consideration of the solid waste agreement with Universal Waste Systems and I am for maintaining our relationship with Republic Services. Thank you.

MAYOR FRIEDEL: Is there any other Council discussion? Councilwoman Larrabee?

LARRABEE: I just had a quick -- I think it's a point of clarification. I might be using the wrong term. But will members of the Council that had received campaign contributions from the applicant, from the other applicant, recuse themselves from this vote? Mayor, are we aware if there's any recusals.

WRIGHT: As far as I know, there there are no recusals. But under the conflict of interest, whether or not you've received a campaign donation from a vendor is not a conflict of interest. So even if they did receive a campaign contribution, it's not something that they have to disclose.

LARRABEE: Well, if I may provide a personal opinion on that, I think that would be the honorable thing to do.

MAYOR FRIEDEL: Councilmember Kalivianakis?

KALIVIANAKIS: Thank you, Mr. Mayor. In full disclosure, before this meeting even took place, I had conversations with the Town manager, and I requested that this vote be postponed for two weeks and that we go into an executive session so we can study this further. I'm not new to this game. I've done other requests for proposals. We get resumes. We get cover letters. We get a lot of information on the request for proposal, who's applying, and then we can look at them.

I understand that state law says that the requests for -- the request for proposals can't be made public until after the bids have been accepted, and this Council has said what

it's going to say, yes or no.

But that doesn't preclude the Council, just the public, from looking at these requests. I think Sidiq has brought up very good points about this process. And for us to just overlook the process, did they have all the required information that would be required on an RFP? I want to know before I vote if everything was provided equally and fairly. I know that there were some immaterial things that were missing. I want to be the one that determines what is immaterial because I think that's --

EARLE: Point of order.

KALIVIANAKIS: That's what the people --

EARLE: Point of order.

MAYOR FRIEDEL: Your point of order?

EARLE: I'd like to ask is this discussion appropriate right now? I want to ask the attorney, is this discussion appropriate right now, what she's saying?

WRIGHT: If there are questions regarding the legality of the procurement, we should take that into executive session.

KALIVIANAKIS: And so to continue that, that is what I asked. I think that's what we should do. I think two weeks isn't going to kill anything.

WRIGHT: Are you asking to move into executive session right now?

KALIVIANAKIS: No, I would like -- I would like to put this off for two weeks and then go into executive session when we have the time to review the RFP more completely. That's what I was asking.

WRIGHT: Then you make a motion to postpone.

KALIVIANAKIS: Okay. Make a motion to postpone for two weeks so we can go into executive session between now and then.

MCMAHON: Second.

MAYOR FRIEDEL: We already have a motion and a second on the floor.

WRIGHT: The motion? Actually, this would be a motion to -- technically, it's not postponed, but the motion to postpone takes precedence. So we go ahead and vote on that. And then if it fails, then we continue on.

LARRABEE: Point of something. Sorry. Clarification. Maybe again. Mayor, is that okay?

WRIGHT: It's a motion to table would be the actual.

KALIVIANAKIS: That's what I think.

WRIGHT: Yeah.

LARRABEE: Can't we just make a motion to recess into executive session?

WRIGHT: Well, right now the motion to table has been put on the -- unless it wants to be rescinded -- has been made so that that one takes precedence over the motion to go -- so we need to do the motion to table. Although if they -- if there was then a motion to go into executive session, we could do a new motion to table after the executive session if that was the decision.

LARRABEE: I guess I'd be asking if Mayor, if the Councilmember would be willing we could just recess now for executive session if there's concerns rather than postpone.

KALIVIANAKIS: No, I appreciate that inquiry. But I think the information that would be needed would require way more time than we have tonight, and it would go well past midnight.

LARRABEE: Mayor, may I ask the Councilmember what information would take two weeks to get?

KALIVIANAKIS: I think what Sidiq said publicly would be the things we would be looking for and it would be for this Council to review the RFP. I know the public can't review it, but the Council --

MAYOR FRIEDEL: We can't do that either. That's not following proper procedure. So you have a motion to table. Did you get a second?

KALIVIANAKIS: Yes.

MAYOR FRIEDEL: Who is the second?

MCMAHON: McMahon.

MAYOR FRIEDEL: All right. So we need to vote on that.

MCMAHON: Yes, mayor.

MAYOR FRIEDEL: Roll call vote, please.

PADGETT-ESPIRITU: Councilmember Kalivianakis?

KALIVIANAKIS: Aye.

PADGETT-ESPIRITU: Councilmember Watts?

WATTS: Nay.

PADGETT-ESPIRITU: Councilmember Earle?

EARLE: Nay.

PADGETT-ESPIRITU: Councilmember McMahon?

MCMAHON: Aye.

PADGETT-ESPIRITU: Thank you. Councilmember Larrabee?

LARRABEE: Nay.

PADGETT-ESPIRITU: Vice Mayor Skillicorn?

SKILLICORN: Nay.

PADGETT-ESPIRITU: Mayor Friedel?

MAYOR FRIEDEL: Nay.

PADGETT-ESPIRITU: Motion fails.

KALIVIANAKIS: If I may proceed then with my motion --

SKILLICORN: Point of order. Isn't there a time limit that I recall?

KALIVIANAKIS: That was one issue. Then I did want to make --

SKILLICORN: : Motion to call the previous question.

EARLE: Second.

MAYOR FRIEDEL: We have a motion to call the question and a second. Can we get a roll call, please?

KALIVIANAKIS: So would this suspend all further discussion?

MCMAHON: Point of order. So we're going to vote --

KALIVIANAKIS: So --

LARRABEE: Point of order.

KALIVIANAKIS: We're going to vote on something that's going to affect every --

MCMAHON: -- without being recognized? Can I -- point of order. Can I be recognized? So what are we voting on, please, if you don't mind. Oh, seriously? Stop it.

KALIVIANAKIS: He's calling the question to end debate.

WRIGHT: Correct. So the motion on the table is to call the question which would end debate. It's been motioned and seconded.

MAYOR FRIEDEL: Roll call, please.

PADGETT-ESPIRITU: Councilmember Watts?

WATTS: I love being first. Aye.

PADGETT-ESPIRITU: Councilmember Earle?

EARLE: Aye.

PADGETT-ESPIRITU: Councilmember Larrabee?

LARRABEE: Aye.

PADGETT-ESPIRITU: Councilmember Kalivianakis?

KALIVIANAKIS: Nay.

PADGETT-ESPIRITU: Councilmember McMahon?

MCMAHON: Nay.

PADGETT-ESPIRITU: Vice Mayor Skillicorn?

SKILLICORN: Yes.

PADGETT-ESPIRITU: Mayor Friedel?

MAYOR FRIEDEL: Aye.

PADGETT-ESPIRITU: Motion passes 5 to 2.

MAYOR FRIEDEL: Go back to the original motion and second that was issued some time ago. Can we get a roll call, please? And just to clear what the motion is, it's to accept this contract that's presented.

PADGETT-ESPIRITU: Yes, Mayor. Councilmember McMahon?

MCMAHON: No.

PADGETT-ESPIRITU: Councilmember Larrabee?

LARRABEE: Aye.

PADGETT-ESPIRITU: Councilmember Earle?

EARLE: Aye.

PADGETT-ESPIRITU: Councilmember Kalivianakis?

KALIVIANAKIS: Nay.

PADGETT-ESPIRITU: Councilmember Watts?

WATTS: Aye.

PADGETT-ESPIRITU: Vice Mayor Skillicorn?

SKILLICORN: Permission to explain my vote?

MAYOR FRIEDEL: Go ahead.

SKILLICORN: So as councilmembers, we do have a fiduciary responsibility to the residents of the town.

UNIDENTIFIED SPEAKER: I thought we ended the debate.

UNIDENTIFIED SPEAKER 2: Yes, we did.

UNIDENTIFIED SPEAKER 3: The chair gave permission.

MAYOR FRIEDEL: This is not debate. He asked for permission to explain his -- he asked for permission to explain his vote. That's enough, please.

SKILLICORN: Yeah. So the Council has a fiduciary responsibility to the people of the Town. Typically, in the bidding process, you go with the lowest responsible bid. There was a lowest responsible bid.

MCMAHON: Are you lecturing us or explaining?

LARRABEE: Point of order.

SKILLICORN: And I'd just like to point out that going with Republic Services is a 32 percent increase over the bid that appears to be passing. So I just want to remind people of that 32 percent increase versus actually a small decrease for the people of Fountain Hills. And I do notice that people of Fountain Hills should look up. There was a pretty significant donation from Republic Services to someone at this dais back on March 3rd, 2024. My vote is yes.

PADGETT ESPIRITU: Sorry, Mayor Friedel?

MAYOR FRIEDEL: Aye.

PADGETT-ESPIRITU: The motion passes five to two.

MAYOR FRIEDEL: Thank you.

Moving on to item 9.c, discussion and possible direction relating to creating a

placemaking strategy for murals on the exterior of buildings. Rachael?

GOODWIN: All right. We're moving into a very different type of discussion now. This is a follow-up to direction that was given by the Council regarding murals on exterior buildings particularly in our downtown spaces. We've had a number of inquiries from different business owners. And I know that Director Wesley and Director Jacobs have been working collaboratively to bring forward some recommended changes. With that, I'll turn it over to you, John.

WESLEY: Thank you. Mayor, Councilmembers, I have a fairly brief presentation. And Director Jacobs is available, too, to answer questions if you may have them to part of this discussion. But you hopefully recall back in December Director Jacobs made a presentation to the Council with regard to some issues that we've been seeing in town with desires for murals to be placed on buildings as part of the Town's placemaking strategy. We've been doing murals on some of the utility boxes around town, and that's created some interest in seeing further expansion of that type of attraction to the Town some of which can be done privately, some by the Town and some as a joint venture. So to determine the best way forward to address these the Council directed staff to explore various options and report back.

And so as we've done so we see two basic avenues that we need to approach. First is the Town participation with the mural process for those who are looking either at Town participation in a joint venture or wanting to encourage the Town to provide murals on various buildings.

We have a current policy for the utility boxes, so we see the opportunity to take that particular program and expand it a little bit still using the various requirements and procedures that we have to ensure good quality of those murals as they are done on properties but then expanding that a little bit to talk about how that applies to private businesses, private buildings, if the Town can be involved how that funding would work and mechanisms for payments and those types of things. So that part of it is fairly straightforward, we believe, just expanding that current policy.

But the other part of it is with regard to our zoning ordinance requirements. Right now,

as you may recall, a few months ago, you looked at some updates and modifications to Chapter 19 of the Town zoning ordinance having to do with design guidelines. We have also fairly recently looked at our standards for site plan review in order to accommodate mural and how that works with other parts of our existing zoning ordinance, basically some other options for how buildings might be painted and designed.

We see a need to go into zoning ordinance and make a few changes there to define murals, to adjust our site plan amendment procedures, and also set some standards in Chapter 19 for murals. Those standards we see would be very similar to the standards we already have in the policy adopted by the Town for what, again, has been happening on the utility boxes.

Those particular changes would need to go to the Planning and Zoning Commission first for their review and preparation on to the Town Council.

So right now we're simply wanting to update you this evening and make sure you're okay with the direction that we've determined we need to go and the steps we need to take to do that text amendment through the P&Z Commission before coming back to the Town Council with your action on adopting such a program. So that's my simple presentation this evening. Any questions? Any further discussion or comments you have for us?

MAYOR FRIEDEL: Councilwoman Earle?

EARLE: Thank you, Mayor. My recommendation is to take it to Planning and Zoning. Thank you.

MAYOR FRIEDEL: Councilwoman McMahon?

MCMAHON: Thank you, John, I appreciate it. I'm concerned, like I stated last time, about allowing murals because I think that we have a unique visual identity and the decorated utility boxes are distinctive and thoughtfully designed to showcase what is important to our culture and what Fountain Hills is known for like the night sky, the fountain, and other beautiful defining features. These small murals are strategically placed and provide cohesive, tasteful sense of place that reflects what makes our community special.

I am concerned about murals being on buildings throughout the town, which could dilute the uniqueness of these utility boxes.

In addition, as I stated before, murals are a unique form of artistic expression and protected under copyright and free speech, First Amendment constitutional rights. So courts have consistently held that government entities cannot act as art critics and any regulation of artistic expression must be content neutral.

So I am very concerned that staff would be putting itself in a position to be art critics and that, you know, that would be really a hard thing to do as far as saying yay or nay to murals, et cetera. So I think that it's a lot more complex and again, I think our Town is unique right now. I like the utility boxes as they're painted. They stand out. And I don't -- I'm not -- no offense to anybody -- I'm not for adding additional murals in town. Thank you.

MAYOR FRIEDEL: Councilman Watts?

WATTS: Thank you, Mayor. At a high level, I am for this. I think as long as the standards are there, they're applied uniformly that I think it can be a good opportunity to enhance the town. I also think that when we look at something like the Roosevelt District in downtown Phoenix, they've made that quite a destination place by doing exactly what we're talking about doing here. A lot of photography groups go there. A lot of tourists go there to see what goes on in the Roosevelt District, which at one point in time, 25, 30 years ago was pretty decrepit, and now it's a real hot spot. So it brings a lot of people. It brings -- again, the Roosevelt District has a plethora of restaurants, night activities, exactly what we're looking for as somebody refers to euphemistically as the fun district. And I think it could bring a lot of value to the town. So my concern is writing the standards and how we apply the standards. So I'm anxious to see that. But I am a supporter.

MAYOR FRIEDEL: And I would agree with that as well. I think it does enhance what we've got going on here in the Town, especially with the utility boxes. And like Councilman Watts said, it could be very attractive for parts of the Town. Can we see -- Vice Mayor?

SKILLICORN: Mr. Mayor, I just want to say that I'm pro mural, and I think it's fine if staff directs Planning and Zoning to come up with a, you know, appropriate system.

MAYOR FRIEDEL: Yeah. We're not we're not done with this yet anyway. So there'll be some changes. Do we have any comment cards on this?

PADGETT-ESPIRITU: No, we do not, Mayor.

MAYOR FRIEDEL: Okay. So do we need a motion and a vote, please? Just direction. Okay. So I think you've got the directions. Okay. Good.

Moving on to 9.d, consideration of possible action relating to initiate the Fountain Hills downtown facade improvement project. Rachael?

GOODWIN: Yes. So continuing on the discussion of the downtown improvements, this is another initiative that was brought forward last budget cycle through our economic development. So again, in partnership with our Planning and Zoning and our development services, they have worked collaboratively to introduce what that downtown facade improvement program would look like and what it would consist of and begin launching that. With that, I believe we have Farhad here tonight to start to talk us through that. And then I believe Director Jacobs is also available for any questions.

TAVASSOLI: Thank you, Mayor, Councilmembers. As Rachael said what I'm presenting before you is our proposal for a downtown facade improvement program. We're looking for your approval to initiate this program. And really, the goal is to revitalize our downtown center and enhance our economic vitality.

So getting down to the purpose of this program. So many buildings, particularly their exteriors, have aging facades and inconsistent aesthetics that limit the appeal. And this program will help catalyze visible, high-quality enhancements and target financial support and create a welcoming, vibrant corridor and also to enhance Fountain Hills' unique desert character.

There's the distillation of the purpose that I just mentioned in that first bullet point, but this is an overview of how the program will work. So, as many of you know, we currently have $50,000 in our downtown fund for this year and I believe for next fiscal

year as well. And I am talking about fiscal year, not calendar year.

So what this program is looking to do is to utilize these $50,000 for a facade improvement program. The way the program is formulated, as you see in the staff report before you, is we would be awarding up to $10,000 per property. And again, this is strictly a voluntary program. So once it is launched and advertised through our -- what we're hoping to do is have a dedicated website and look at other ways to spread the word -- but it will offer up to $10,000 per property. And more specifically, it's a matching grant program, and we would be reimbursing 50 percent of reimbursement costs, which would be eligible. And I'll talk about eligibility as we as we move forward. But $10,000 it could be a project may cost $2,000. We just don't know yet. It depends on the extent of the enhancements.

It also includes some safeguards, such as a maintenance covenant for five years. And what that means is once the successful applicant is reimbursed for the program the maintenance covenant requires that they fully maintain the facade for up to five years. There would also be a clawback provision that says if it's not properly maintained, then we will have some ways to either partially or fully get those costs back to our account.

The program, if approved, will be reviewed internally. There will be a grant administering review program as well as an implementation program, which I'll discuss a little bit later. We will also select the successful applicants as well as go through the design review approval process, which is part of the implementation.

Program eligibility, well, this is the geographic scope of the program. I should mention, though, that the program will apply to commercial or mixed-use types of developments, existing developments, not vacant land, not brand new projects.

So going further along, property owners or long-term tenants in good standing will be eligible for the program. What do we mean by good standing? Current on taxes. No violations. No lawsuits against the town. Properties, as I mentioned, that would be eligible are commercial mixed use projects in the downtown district within the parameters of that map that I showed you.

Projects potentially would include visible exterior improvements, and I want to

emphasize that this is, as the name implies, a facade improvement program. It applies to building exteriors. And so what would be ineligible would be interior remodels, new construction, murals, examples of which John discussed, as well as temporary elements such as potted plants or things that aren't intended to be permanent fixtures.

So when staff reviews the applications for both the grant administration and the implementation, we'll be looking for compliance with Chapter 19 of the Architectural Review Standards, an amendment to which came before you late last year where we changed the title from Architectural Review Guidelines to Architectural Review Standards where we removed any subjective standards and replaced them with objective standards so the applicants will know what will be required during the review process.

We're looking for examples or proposals which complement adjacent buildings using approved materials such as masonry, stucco, and accents using metal and wood just to name a few. We'll be looking for a desert inspired palette, which is consistent with the design standards in Chapter 19. Lighting, not street lighting, not light posts, but particularly things such as wall sconces, pathway lighting, things like that. And also eligible would be ADA compliance improvements as well as energy efficiency such as windows that need to be replaced with more energy efficient models. Perhaps in a little bit more detail I'll explain what other modifications are covered. I mentioned painting and masonry repair, windows and doors, awnings and canopies, shade structures that may be deteriorating and may need to be replaced as well as ADA accessibility improvements such as ramps, maybe truncated domes if they're not within the right-of-way.

And what is not covered? As I mentioned, interior remodels or roof replacements, constructions, building construction, and additions, murals, landscaping not intended to be permanent architectural, design, or engineering fees associated with the project. I should also mention any permitting fees that the Town would require would not be covered as well. Tools and equipment for the project as well as commercial advertising signage.

So the review process will be two-tiered beginning with the grant application and review process. So once the program is launched and advertised staff will be around for as-needed consultations with those who are interested in participating in the program, will be open to counter inquiries or appointments in advance prior to submittal of their grant application. Then that would hopefully be followed by a formal submission and a completeness check.

And then once we get a good pool of applications, the committee consisting of development services staff, particularly planning, economic development, and other staff members on an as-needed basis, such as a building safety fire department will be reviewing these applications, taking a look at what's being proposed as far as their visual impact to the downtown area, economic benefit, identity and feasibility.

And the successful applicants will be selected and they will receive a notice to proceed to the next process, which is the implementation. The implementation process is really synonymous with the design review that is currently explained in the zoning ordinance, which will be perhaps asking for more detail with regards to specification of colors, lighting specifications that will be used. This will be primarily reviewed by planning staff, and other departments will be consulted as needed.

Once the applicant receives design review approval, if need be, they can go ahead and apply for building permits. Not everything is going to require building permits, such as repainting of the exterior things that may require building permits as replacement of a shade structure, ADA ramps, replacement of lighting fixtures so we can make sure that they're compliant with our dark sky ordinance. And once the project is implemented, the improvements are made and passes final inspection the Town would be ready to reimburse 50 percent of those costs.

So what are the next steps? Well, obviously we're here before you seeking your approval to launch the program. Once we get approval, we hope to get things in motion the coming month and launch the program in April, still not quite very date specific yet but sometime within the April time frame, we'll launch the program and publish a dedicated website. Applications would be due sometime in May. The review and

selection process for the grant program we're looking at June 2026 to go through that review process, and the applicants would be ready for project implementation for the next fiscal year, July, March 2026. However, the funds that are currently in the fiscal year -- current fiscal year would be utilized. So with that, I will conclude.

Well, actually, I wanted to just show a couple examples. Some of these enhancements from other jurisdictions that we've studied like this one here in Queen Creek can be very modest. This is simply a -- well, it's in the Queen Creek Town Center, a simple commercial building where a new coat of paint was applied. Or if you want to look at some more comprehensive and more I guess thorough, facade improvement programs you can look at downtown Mesa, downtown Mesa much larger in scale. And in fact, they had they were offering $250,000 for each property. So this program would kind of pale in comparison to the scale that downtown Mesa implemented, but still worthwhile to see what the potential is here at -- here in downtown Fountain Hills.

With that, I'll conclude my presentation and open it up to any questions and facilitate discussion.

MAYOR FRIEDEL: Thanks. Vice Mayor.

SKILLICORN: Thank you, Mr. Mayor. So I'm willing to go ahead and approve something like this, but I want to make sure that the goal is about bringing in more business, the goal is about economic development.

So I'm not so concerned about the subjective things. I'm more interested in the quantitative things, like bringing in more sales tax revenue. I want this to generate more money for the Town, for the people of the Town. So that's how I'm going to lend my support. I also want the record to reflect that.

And specifically, I want to make sure that these are approved in a sense that what will improve the economic development to our downtown. That's my number one, and frankly my only, priority of spending this money because there has to be return on this investment.

To that specifics, you know, I see some of the regulations here, like I see like lighting requirements, frankly, like the lighting requirements for me are just complying with dark

sky. Okay. I'm not concerned of what kind of light bulbs, I mean, if it even states in there. Frankly, I'll make a motion to approve this, but I want to end 5.5 of lighting. Take out the line that requires LED light bulbs. LEDs are great, I love them. I own a lot of them, but that doesn't need to be required for this. And then also on that note, in my motion, I'd also like to remove section 5.7.

LARRABEE: I'm willing to second that.

MAYOR FRIEDEL: Councilwoman Earle?

EARLE: Thank you. Thank you, Mayor. Now that you said that, I'd like, could someone tell us what that 5.7 was before I asked my question so we all know what we're removing.

WRIGHT: I have it in front of me. 5.7 is sustainability and energy efficiency. It states that the Town encourages materials with recycled or locally sourced content, high efficiency doors and windows, energy star rated, rain capturing planters at storefront bases and solar shading devices, perforated metal screens and louvers.

EARLE: Okay. Thank you. So my question is there's been a lot of discussion with regards to other things now that have to do with the gift clause. So can I ask the attorney, how is it that we're able to give money to these businesses? Thank you.

WRIGHT: Certainly. So under the gift clause you wouldn't be able to just pick give without some benefit to the town. And so you're allowed to have grant programs such as these. This one has a 50 percent match, so it requires them to contribute as well so therefore the whole cost of the project isn't being on to the Town.

Second of all, it's a competitive bid process or you know, a grant process where, you know, the Town can evaluate the whether or not this process is going to improve to the councilmember -- Vice Mayor Skillicorn's point the bottom line that it's going to improve -- you know, meet the eligibility criteria, meet the purposes of the project. So the Town -- it's not that the gift clause prohibits any investment of the Town into, you know, private benefits, but there has to be a public purpose. And there's a specific public purpose for aesthetics for a town.

EARLE: Thank you for clarifying.

MAYOR FRIEDEL: Councilwoman McMahon?

MCMAHON: Oh.

MAYOR FRIEDEL: Councilman Watts?

WATTS: Thank you. This is probably an unfair question, but things like this have been done in the past, not from a grant perspective, but the lifting of facades, the renovations and so on. Do you have an average value of what the cost to do a storefront façade modification remodel is? I'm trying to figure out how many -- of the $50,000, how many remodels is it going to get us?

TAVASSOLI: Mayor, Councilmember, I don't have an immediate answer to that question, but like I was saying in my presentation, if we're talking just a fresh coat of paint --

WATTS: It's probably wide ranging. So it probably wasn't a fair question. Secondly, there's a date under 4.3 that says March 31st, 2026. I don't think we can have completion of project done by that date. It might be a little aggressive, and it may just be the implementation of the program is what it meant as opposed to the actual project.

TAVASSOLI: Yes. So noted. Thank you for that.

WATTS: And then finally, when somebody submits their application, are they submitting along with the application, a schedule of values for the various components so they can go in and say this could be part of the grant, and you can delete that from the amount so they can get the net of what would be applicable, but they won't get the things that are specifically excluded?

TAVASSOLI: Yeah. Mr. Chairman, excuse me -- I've got to remember where I am. Mayor -- Councilmember, that's something that we have not explored. But that certainly would make a lot of sense to review each individual improvement that they're proposing and perhaps amend it.

WATTS: Well, amend it or make a statement in there that says that the things that are specifically excluded in the outline that you just gave us are not going to be reimbursable at the 50 percent rate, but the net amount less those would be

reimbursable so we'd get most of what they wanted. And if they wanted to put in something that wasn't like the pots, for instance, were part of the plans and so on. They might not be appropriate to have them included, but in the overall permitting process you would have a grand total. Only a certain portion would be applicable to the grant component.

TAVASSOLI: Right.

WATTS: Okay. And last, the energy thing I think is already addressed in other building codes so I don't know that it needs to be in here because there's a lot of other efficiencies and it's a little bit -- it said May and it doesn't say absolute, but I think all of those components, energy star and energy efficient doors and all that are elsewhere in the building codes today. So just a comment. Thank you.

TAVASSOLI: 24 International Building Code.

MAYOR FRIEDEL: Councilwoman McMahon?

MCMAHON: Thank you. So 5.7 it merely encourages it. It's not mandated or anything. So there really isn't any harm keeping it in or not, correct? And are all these, not to question Councilmember Watts, but are all these environmental friendly, energy efficient things in the Code so that it has standards, et cetera.

TAVASSOLI: Yeah. Mayor, Councilmember, I don't know for sure if these elements that are included in 5.7 are in the Code. There might be references to energy star, things like that, but not being the building safety official, I don't know for sure.

MCMAHON: Thank you. So since it just encourages, I would like to keep it in. It's just merely an encouragement. And I think that it would provide ideas for applicants, you know, and additional tools and ideas in order to have these materials and help our town become more environmental friendly. So I would like you to please reconsider your motion to exclude 5.7, please.

MAYOR FRIEDEL: Maybe we could ask John if he has any thoughts on whether that's included in our Code and elsewhere. I seem to remember seeing some of it somewhere, but, yeah.

WESLEY: Mayor, I'm afraid I don't have too much more than what Farhad has. It's in the

Building Codes. Or as Councilmember Watts said, some fairly extensive requirements in there, how much they overlap, I couldn't say with any certainty. Thank you.

MAYOR FRIEDEL: Councilmember Kalivianakis?

KALIVIANAKIS: Thank you, Mr. Mayor. And yeah, the 5.7 I kind of concur. What I like about 5.7 is it directs us to use recycled, which the Town's been doing a leadership role on in our parks, our benches, all over town you can see that. And so it's just kind of following the leader, the Town's example. And what I love about it is locally sourced content. And I think we should always be encouraging people to use locally sourced everything including lunches for retreats.

But the thing that may be a little bit in the weeds, and this might be another Rachael question, is this does seem to be a little labor intensive on staffing because there's a review process. There's going to be boards, committees, checks, checks on checks, approvals. Then when they start the build out, there's going to be inspections, not just for the first year, but for five years due to the clawback provision and do we have the staff to be monitoring, you know, the first year, $50,000, maybe 10,000 each, second year it's going to be 10, third year it's going to be 15, or we're going to actually have to hire a staffer to monitor this? Because, again, we are understaffed in this Town already. We're stretched pretty thin. That's what you've told me?

GOODWIN: Yes.

KALIVIANAKIS: And so do we have the bandwidth to take on a program like this?

GOODWIN: Well, I think and you're not wrong. It is cumbersome. And it does have a series of checks and balances built in for a number of reasons not one of which being, you know, some of our financial responsibilities that if we are going to implement this type of a program where public dollars are being invested, we have a responsibility to make sure that they are invested properly and in accordance to our intentions.

That being said, this was staff built and staff driven between. I know Farhad and John and Amanda worked collaboratively to come up with this, so they are standing behind it and endorsing that this -- they believe that this is the best process to move forward with a program like this. Understanding, of course, that it is an initial program we're going to

learn as we go.

If there is a better, more efficient way to streamline, we will certainly look into that. But this implements all the best practices that we've been able to borrow from other communities that have successfully launched programs like this. And as you mentioned, it is a relatively small amount, so it will impact -- they will have relatively few projects from the get-go to make sure that we can manage it.

KALIVIANAKIS: Yeah. And if the staff is comfortable, I'm comfortable. And this would I guess would be just kind of like a one-year trial and then if there were unforeseen consequences, we can look at it next year. This is a one year only, right?

GOODWIN: As of right now, this is funded in this budget year. That's why they'd like to get started. I believe the expectation is to hopefully fund next year to again launch, see how it goes. But yes, it can continue to tweak and evolve as we learn through the process.

KALIVIANAKIS: All right. Thank you.

MAYOR FRIEDEL: And I would say that this shows the support we have for the business community as well. So I think it's -- I think it's a good idea to do this, and I know Amanda and I had talked about this probably a couple of years ago.

Councilwoman McMahon?

MCMAHON: Thank you very much. Is it appropriate to make a motion to amend the motion on the floor and to approve the initiation of downtown, the facade program with including 5.7? Do I have a second? I have a motion to amend to a motion to approve the agenda item as written that includes 5.7.

MAYOR FRIEDEL: Right, right. There's a motion on the floor. Vice mayor, would you consider amending your original motion since it doesn't direct, it says encourages?

SKILLICORN: So adding that in just makes the facade program cost more money and thus have to use more taxpayer funds on it? I mean, I would be a no on the whole thing if it included the sustainability because it just makes those projects more expensive and it just wastes taxpayer money.

MAYOR FRIEDEL: So if we remove the word sustainability and put energy-wise or

something like that.

MCMAHON: Energy efficient, just have energy efficient?

MAYOR FRIEDEL: Would you be okay with that?

SKILLICORN: What's wrong with businessowners choosing it for themselves instead of government mandating what we do?

MAYOR FRIEDEL: So I don't think -- well, I don't think it's a mandate and there is a cap on it. So we wouldn't be spending a lot of money on it.

SKILLICORN: But even if it costs $1,000 more, I mean, Energy Star windows are going to be a lot more money. That's 50 percent that's being paid for by the taxpayers.

UNIDENTIFIED SPEAKER:: It's not a shall, it's a recommendation.

MCMAHON: My motion stands if someone will second it, please.

KALIVIANAKIS: Second.

MAYOR FRIEDEL: Allen, did you have a second on your original motion? Oh, yeah, we did. So we had an original motion and a second. Oh. Are there any speaker cards on this one?

PADGETT-ESPIRITU: No, there is not.

MAYOR FRIEDEL: So we need to vote on the original motion. Can we get a roll call?

LARRABEE: Sorry. Point of order. I think --

MAYOR FRIEDEL: Oh. Do we do the amended motion first? Oh. All right. My mistake.

MCMAHON: So we're voting on the one I meant. Thank you.

PADGETT-ESPIRITU: Councilmember Watts.

WATTS: I'm looking. Thanks. Russian roulette. I want to read 5.7 again. I don't see anything in there that mandates anything. I think if we provide a schedule of values that would help offset some of those costs and based upon director's comment that it actually goes back to the last Town Council meeting where he did say that we didn't have the energy codes included because they were referred to elsewhere in our existing Building Codes. I don't think it's necessary to have it in there. So I would be -- I'm torn both ways. It doesn't matter whether it's there or not. It's somewhat irrelevant. So I'm a no.

PADGETT-ESPIRITU: Councilmember Earle?

EARLE: I'll explain my vote. I don't want the government telling them what kind of light bulbs and stuff you have to put in. So I'm a no.

PADGETT-ESPIRITU: Councilmember Larrabee?

LARRABEE: No.

PADGETT-ESPIRITU: Councilmember Kalivianakis.

KALIVIANAKIS: Just to clarify my vote, the amendment was to strike to strike 5.7?

MCMAHON: No.

KALIVIANAKIS: It was to leave it in.

MCMAHON: Yes.

KALIVIANAKIS: That would be an aye.

PADGETT-ESPIRITU: Councilmember McMahon?

MCMAHON: Aye.

PADGETT-ESPIRITU: Vice Mayor Skillicorn?

SKILLICORN: No.

PADGETT-ESPIRITU: Mayor Friedel?

MAYOR FRIEDEL: I'm torn on this, too, but I'm a no.

PADGETT-ESPIRITU: Okay. Motion denied 5 to 2.

MAYOR FRIEDEL: Now we go back to the original motion. Vice Mayor's motion, and it was seconded by Hannah Larrabee.

PADGETT-ESPIRITU: Councilmember Kalivianakis?

KALIVIANAKIS: Aye.

PADGETT-ESPIRITU: Councilmember Watts?

WATTS: So this motion is to take out 5.7. Oh my God.

MCMAHON: I thought it was -- the other motion was to take out. It was mine, oh, right. Thank you.

WATTS: I've got to vote yes, don't I? I'm stuck. Yes.

PADGETT-ESPIRITU: Councilmember Earle?

EARLE: Aye.

PADGETT-ESPIRITU: Councilmember McMahon?

MCMAHON: Because I like the program a lot, I'm going to vote aye, so thank you.

PADGETT-ESPIRITU: Councilmember Larrabee?

LARRABEE: Aye.

PADGETT-ESPIRITU: Vice Mayor Skillicorn?

SKILLICORN: Yes.

PADGETT-ESPIRITU: Mayor Friedel?

MAYOR FRIEDEL: And I like the program. It shows good support for our local business community. Aye.

PADGETT-ESPIRITU: Motion approved 7 to 0.

MAYOR FRIEDEL: Thank you. All right. We move on to E, which is consideration of possible action relating to amendment number 1 to contracts 2024-049 through 2024-053 on-call stormwater maintenance services. Rachael?

GOODWIN: Mayor, thank you. This one is an essential service for us after we have storms. As we know, when we have large storms roll through, they -- it leaves quite a bit of debris and cleanup that our public works crew really takes the lead on. But they really do need support in making sure that we have the right resources to address it. So with that, I'll turn it over to you, Director Weldy.

WELDY: Thank you kindly. I know oftentimes as I stand here, I begin to sound like a broken record when I describe the challenges we face to clean up after storm events. And they don't have to be the severe ones that make all the local and national news, even the smaller ones require an incredible amount.

I would like to note that after the last storm event, the street department, along with engineering, we were out day and night cleaning that stuff up. We solicited each of the members or contractors here. Two of them were able to respond and provide support. Let me clarify that -- limited. They could come out a week or so later, or they could help the next day just to get the primary roads or the local roads open and then they had to go back and come back. We quickly reached the contract threshold limit, and we could have simply just done a renewal and changed the dates and stuff.

That's not working efficiently in my opinion. We had numerous internal conversations about who could show up and when, and it's a challenge that we face with not only this service, but other services as well.

We decided to ask the Council to consider an amendment to increase each one of these to up to $150,000 each per term knowing that we've had some relatively dry weather and some minor rain or, you know, small rainfall, but the potential exists for us to have a relatively large event and we're going to need some help at that time. Not unlike in the past if there is a really big event, we're going to get onto an emergency council with all the information we need, and we're going to discuss that particular event and the challenges that we face that would exceed any of these contract thresholds.

With that, we certainly appreciate your support. We do have some cleanup that we still need to accomplish. We simply need the contract authority to do that and attempt to prepare for the next event. I'll answer the questions to the best of my ability if you have any.

MAYOR FRIEDEL: Vice Mayor.

SKILLICORN: Thank you, Mr. Mayor and Director. Have we ever had an emergency event where we exceeded one vendor's $50,000 limit?

WELDY: Mr. Mayor, Vice Mayor, yes. We've exceeded that by a couple of hundred thousand dollars and came back to the Council for ratification.

SKILLICORN: Mr. Mayor, Director and there was one vendor that was -- fill us in a little more of those details.

WELDY: In this particular group right here, there are only two vendors in here that have responded to our large events in the past. And the smaller contracts that we had with them at this time, not this one was, again, for a smaller threshold, $75,000 or so, we had to exceed that amount to accomplish our goals of getting the roads open. And so two of them in here have exceeded their contract in the past by over $200,000 and we've had to come back to the Council under emergency procedures for ratification on those agreements. Not very often, but it has happened in the past.

SKILLICORN: And Mr. Mayor, there are emergency meetings that happen and things get

approved. Are there other towns and cities that have tripled this authority?

WELDY: Vice Mayor, the majority of them have their own staff. There are a few exceptions along the Colorado River and the southwest part of the state, but most of the other communities have their own staffing and equipment. The street department is five strong. So we simply do not have the staff. We have some equipment, and we can get a lot of it done, but we cannot respond to the larger ones. And as a reminder, when we are cleaning up after storms, we are not accomplishing anything else. So we need support.

SKILLICORN: So Mr. Mayor, it just going from a quarter-million dollars spread out between five vendors to three-quarters of a million dollars sounds like a lot of money to me. It also seems like a lot of money without the authority of Council. There are already in state law emergency provisions where we can have a meeting and you know, approve something we need to increase.

Frankly, if we are going through such an emergency, I think it's our due diligence to do that. And frankly, we have a responsibility to our citizens to act fast and approve something in an emergency situation. So I don't look at that as a disadvantage. And Mr. Mayor, I think it's okay to have some flexibility, but I just think that going to three quarters of a million dollars with no -- you know, with no accountability, effectively, I just don't see that as being practical. And that was not what I was elected to do. So I would make --

MAYOR FRIEDEL That total, I don't mean to interrupt you is 150,000.

SKILLICORN: Times five, that's a quarter million dollars or three quarters of a million dollars.

MAYOR FRIEDEL: You've only had a couple people respond, right?

WELDY: Only two of them responded to the last event, Mayor.

SKILLICORN: Mr. Mayor, as this is written, though, it would allow, you know, a Saturday evening, a couple phone calls, three quarters of a million dollars spent. That's a lot of money. The way this is written, I could never support this, not one bit. So I'll make a motion to approve it up to $75,000 and with a sunset of one year, and then after one

year, if it works out, we renew it or if you want to change it, that's fine, but that's the motion I'll make.

MAYOR FRIEDEL: We'll move on to the next person. Rachael, did you have something you want to say?

GOODWIN: Mayor, I just wanted to offer a little more clarification because I can certainly see where your concerns are raised. Understanding that this is functioning simply as a job order contract, much like our other vendors, in that each vendor is authorized 150,000. In none of the scenarios that Justin just shared did we have five vendors here expending all of their authority. Essentially, we need to be able to call someone and get them here to address issues, whether that's blocked roadways, downed trees, boulders in the, you know, middle of parks, whatever that might be, so that we can get back up and open and operational again.

MAYOR FRIEDEL: So you go down the list and find whoever's available.

GOODWIN: Correct. And so I recognize that the cumulative total is concerning. The idea is that each one has the authority so that we can call them and get them here on that when needed.

SKILLICORN: Mr. Mayor, thank you for that clarification, but that's not what's written here. What's written here gives staff the authority to spend three quarters of a million dollars. That is extreme and that is ridiculous, and I would have to oppose that, and I have to strongly oppose that.

MAYOR FRIEDEL: Councilwoman Earle?

EARLE: Thank you, Mayor. I kind of agree with Allen, but I want more explanation on that. So it sounds like Director Goodwin did explain that a little more. I was concerned, too because we were going from 250K to 750K. But when -- if you run out of the 150, if you had one person, one company, then you go to another company with another 150 until you go down the line, but yet you said last time only two people was it whatever -- two companies, excuse me, answered the call and then did they stop at the 50,000 expense? I mean, what do you do when you don't get a hold of them or --

WELDY: Mayor, Councilmember, so there's a few questions in there. One yes, there are

five listed here. Only two responded and were able to help. When we reached the close to the $50,000 or just under it, we simply stopped so the work hasn't been done.

EARLE: Okay. So with the way it's written, if you would call one company and once they meet reach the 150,000, you try to get another company. Once they reach 150,000, you try to get another company. Is that how this would work?

WELDY: No, Councilmember, it's not.

EARLE: Okay.

WELDY: When we have an event, we reach out to all of them and we give them a list of everything that we need. And there are unit prices attached to this. And we ask them based on what we're sending you, we need you today, tonight, and tomorrow to get this stuff done. Give me a rough estimate on that so I can get a not to exceed.

So I have to have in my hands or electronically a purchase order to proceed on any of this. So I get a purchase order for the ones that have agreed to respond based on that scope I provided them while sitting on Sun Ridge. And then we proceed from there.

If we reach that dollar threshold, or as we're reaching that dollar threshold, I'm going to be right here in front of this Council if we're not getting any other responses and simply explain it truthfully. There are still areas in Ashbrook Wash or along Golden Eagle Park that we have not been able to address, and we are reaching the dollar threshold for the one or two that show up. Please note in the past, none have come out to some of the events.

EARLE: So how did you come up with the maximum of 150,000? Going from 50,000 to 150 then 750 with five of them? How did you choose that number? Have we ever had $750,000 in expense?

WELDY: Councilmember, we had just under $800,000 to clean Golden Eagle Park just to get it functional, and an extensive amount considerably beyond that downstream that's still not completed.

EARLE: And how did you get that cleaned up? Are you talking about the repair that we approved, all that rebuilding there?

WELDY: No, ma'am. This was after a storm. It was --

EARLE: How did that get paid for?

WELDY: It got paid for -- we came to -- we got started cleaning it up as staff and with contracts we had, came back to the Mayor and Council, proverbial dump truck in hand and ask for money to proceed. In fact, it was myself and the previous community services director that stood right here in front of this elected body and begged for money for lack of a better description.

EARLE: You're asking to not to not have to come back and in front of us and ask for permission to spend more money, is that correct?

WELDY: No, ma'am, I am not.

EARLE: Okay. Is that what -- okay, not you.

WELDY: We reach 150 -- prior to reaching that dollar threshold, we're already going to be doing our homework to see if anybody else can get involved. But you're going to be getting emails from the town manager saying we had an event last Thursday. This is where we stand. Public works, community services, the fire department, I could go down the list, they're out there working on it. So you're going to be aware. This isn't going to sneak up on you when you return from shopping and say, wait, how did we get here? This -- when there's a storm event, you'll be aware of it.

When we're reaching critical threshold dollar numbers, you'll be aware of it, because we'll be either up here with an explanation or asking for more or some consideration. And please note, we don't have anywhere near the budget to service more than one and a half of these agreements this year. So once we reached over a little bit -- well, actually it's a little bit less than that. I don't have the total in front of me, but the environmental fund, which went away and now is in public works, it doesn't have that much money. This just gives us the ability to address for one year these events, and it gives us five options to do so.

MAYOR FRIEDEL: Justin, is it safe to say that $50,000 doesn't get much done? Am I right when I say that?

WELDY: You're correct, Mayor. In fact, we're not done. We simply stopped working in Ashbrook Wash, adjacent to Golden Eagle Park upstream and downstream. We cleaned

as much as we could by ourselves, and we continue to return back there, but we have other things that we need to do.

MAYOR FRIEDEL: I want this Council to know I've been in that wash with the public works director. It's still a mess. We need to get this cleaned up.

EARLE: But you're saying we don't have the money right now?

WELDY: I'm saying that we have a little bit of budget, Councilmember, but we don't -- I don't have the total amount. We have probably 150 or 200,000 to last until June 30th.

EARLE: So if we approve this, we're putting more money into it somewhere else or we're still at max to 200,000?

WELDY: No, we're not asking for a budget increase or any transfers --

EARLE: Okay.

WELDY: -- simply the authority to address some of this stuff and be prepared to address the next one should it happen.

GOODWIN: So Justin, I'm going to take that. And I appreciate that because that's the difference here is that this is not -- we're not asking for money. We're asking for the budget authority to say we can go to any one of these five vendors and say, we have an issue; we need it cleaned up; can you get here? And if they say, yep, we're there. Great. I have $150,000 dedicated and available to get that vendor here. If they say, sorry, I can't make it, already tied up in Scottsdale. Great. We go to the next one. Can you get here? Can you help us with this and get this done?

And so by approving each one, it's authorizing us to pick whichever vendor is available to do the work with that threshold number. So it's not that we're going to say, hey, you five, all of you, come here. I don't have enough money. I don't have $750,000 to pay them all. I have the budget available, but I need to be able to pick whichever vendor is available to get here because in the -- and Justin used Golden Eagle as our example. But and typically, hopefully we never, ever, ever see that scale again. However, when you have a storm, we're going to let you know what's going on and what type of cleanup is happening and where we're at.

If we're approaching that threshold and we need to get back in here for to give you an

update or ask for more we can certainly do that, but it's not a situation of where we're calling all five, and all five are going at the cleanup process all at once. So again, the authority to go to each of these vendors and authorizing this is not the same as having the money available for each one. So I think that can sometimes get lost in that conversation.

MAYOR FRIEDEL: Are you okay with that, Councilwoman Earle?

EARLE: Yes. Thank you.

MAYOR FRIEDEL: Thank you. Vice Mayor?

SKILLICORN: Thank you, Mr. Mayor. So when I hear about Golden Eagle, I kind of think that's what this is about. So Golden Eagle was not merely a emergency cleanup. Golden Eagle was a complete reconstruction. It included a bridge. It included a road. It included a lot of other things that are were capital expenditures, not emergency repairs. If this is for emergency repairs, I'm thinking like you have a gigantic tree blocks the road and people can't get to their homes, and we need a way to clean that up. Okay? When I think of emergency repairs, I think of we have a major monsoon event and you have five tons of gravel that are blocking one of the roads next to a wash. That's an emergency event. I'm also thinking a bridge gets washed out. Okay?

Those are all types of things where it's appropriate to have an emergency meeting and also have some funds to fix those things. But some of those, if we have a tree blocking a road, you know, I have a chainsaw. I've got a truck. I've got a tow strap. I'm willing to help. I don't think we really need to be having this unlimited authority for three-quarters of a million dollars with no accountability. And frankly, I don't think that's what this was about.

I think this is about projects like Golden Eagle, which are capital projects. The wash that the Mayor mentioned, that's a capital project. That's not an emergency project. Emergency project means that there are critical infrastructure needs that need to be addressed on a weekend, immediately, something like that. You know, there's a big monsoon event in the there's such an erosion that, you know, water supply is wiped out. That's an emergency event.

I don't think cleaning out a wash is an emergency event. That's a capital improvement. And that should go through the normal budgetary process. I don't see another compelling reason why to continue this go on. Frankly, I'd like to make a motion to deny, because I just think this, if this is approved, it is a blank check to up to $150,000 to these five vendors, and it is wholly inappropriate. And it's literally the three and a half years I've spent here if this is approved, it's the most foolish thing we've done.

WELDY: If I may, Mr. Vice Mayor, the two things you described are totally different. The flooding that occurred at Golden Eagle Park, that was the emergency cleanup, along with all of the areas in town. What you're describing is the latter part. The capital was a whole separate project to address that flooding. So two different things on that one.

MAYOR FRIEDEL: Councilman Watts.

WATTS: Justin, I think some of this is in the optics. And are all five contractors capable of doing the exact same thing?

WELDY: No.

WATTS: So they have different fortes.

WELDY: Correct.

WATTS: So you have go-to contractors. That's probably why two of the contractors exceeded that $200,000 threshold or whatever that threshold was that you talked about.

WELDY: That one was, yes. That was part of a big project. That was when the majority of the Town flooded. That was when I provided that example. But in fact, these two contractors have equipment, staffing, dump trucks, those sort of things. Some of the other ones don't necessarily have that same specialized equipment to remove that much material from the roadway.

WATTS: Right. So one was a heavy earth moving company and a couple of the other ones I know there are smaller companies and so on.

WELDY: Yes.

WATTS: So but -- and my concern is that it says per contract. Are you treating this as a work order that's based on time of material or schedule of values or are you treating it

as a contract? Because the details in that contract makes me concerned.

WELDY: So these are job order contracts with set unit prices and clear scopes.

WATTS: Okay. So you could have multiple contracts that could blow through even $150,000 if we're not careful. So what I'm getting at is, isn't it more prudent to say the two contractors that have the most capability, the most reliable, maybe we exceed, we raise their limit, but the other ones, we don't raise them quite as high. We don't have that same exposure.

WELDY: We've done this in the past, Councilmember. Simply were not able to respond in a timely manner. So our priorities -- and let me be clear on this -- when there is a storm event, our priorities are arterials, collectors, and locals. That's where we start. So we break it up into groups day and/or night. We divide the town. We determine where the most amount of rain fell, and we send a person out there in a truck with a flashlight or a spotlight. They survey a section and they write down everything they saw. While they're doing that, someone else goes to another section, so on and so forth. And the town is divided up.

Once we have our priorities, then we start sending equipment. As we send equipment, we begin determining we got one backhoe. We've got one Gannon. We have one small dump truck and no place to dump locally, so we have to put it in temporary stockpiles. While that is underway, we make a determination of how much material needs to be moved and when. Where can we put it? And we start reaching out? Do you have availability when the sun rises to send a dump truck and a larger loader? Do you have availability to bring out your street sweeper in this case to clean it up after we get the bulk?

So in the past, when we've -- and this is a good example. These were at 50,000. I went as far as I could reasonably go and get close to this threshold, and we stopped. So there are box culverts and Ashbrook Wash that were filled with trees and other materials that are still in that condition. And what happens is when we begin to reach the capacities, the water begins to back up on the opposite side because we're going to get more organics and more sediment and with a big enough event, boulders and stuff flowing.

WATTS: I understand I've been through Ashbrook Wash and a couple of the other washes, and a couple of them are in bad shape, and they do block and restrict the culverts.

WELDY: Ashbrook wash is an example. What I'm referencing are the box culverts. You may refer to them as bridges. So this is what crosses under our roads.

WATTS: My concern again is with the 100,000 -- $150,000 per contract. I can have multiple contracts with the same contractor and exceed your $150,000 in the same year. The unlikeliness of that occurring having two catastrophic events may be pretty rare, but the term contract gives you multiples of whatever the maximum is. That's what it looks like to me. Am I -- Town Manager?

GOODWIN: Ultimately, what you just described is us having multiple contracts with one vendor that are $150,000 each. Is that what you just asked?

WATTS: I think the events, the catastrophic events that occurred, you -- one contractor could be selected and have multiple contracts for multiple events.

GOODWIN: And arguably that can't happen because that's against our procurement policies. The per term of service per vendor, i.e. they get $150,000 for the vendor in its entirety for the budget year.

WATTS: But it says per contract.

GOODWIN: Each one of these vendors represents a contract. So it's five contracts in total. And if it's a matter of semantics or wanting to clarify that, we can certainly do that.

WATTS: Increasing the not to exceed contract amount by $100,000 per contract with the term of the service.

GOODWIN: A contract with each of the vendors that are listed. So I can't go out and go and have -- I'm going to pick a vendor off of here -- Verde Valley Landscaping and say, I need 150 for this project and 150 for this project, and they all go to Verde Valley. A, Paul wouldn't let me do that. B, that goes against our procurement. This is per vendor as listed. There's a total of five.

WATTS: But we know that some of them don't have the capability to do these larger

contracts.

EARLE: Okay. So -- per term of service is where --

WATTS: Am I looking at something different than you're looking at?

EARLE: Yeah. Meeting packet page 242. If you go on the bottom paragraph here, it states this amendment would increase each of the contract amounts by 100,000, raising not to exceed total from 50, 150 per term of service. So it says contract plus per term of service in that same sentence.

WATTS: Okay. But the motion as suggested doesn't say that same thing. It says -- you see exactly the same thing.

EARLE: Right here.

WATTS: I'm reading it.

EARLE: Okay. Isn't that saying per contract per term of service, which is one year? That's how I read that.

WRIGHT: If I may, what's written in the staff summary is not what's necessarily -- I mean, it is what's written in the contract, but what you're bound to is what's in the contract. So if we go to further down, we can read the amendments and note that these are amendments to existing contracts. So the backbones of what you were looking for, like the price per units, are in those. And that's not included in this packet. So there is having reviewed all these, there's an actual contract that exists that describes how much we're willing to spend for whatever these services are, these storm services. And so what this gives is $150,000 total for that vendor in that term. And these terms expire, I think, at the end of -- that's also in the underlying contract that's not here, but these are on a fiscal year basis. So this just goes to the end of this fiscal year. And then usually these can be renewed annually for up to a certain number of years. So usually it's three to five, correct?

MAYOR FRIEDEL: I see Paul up here. Maybe you can help us here.

SOLDINGER: Yeah. I was kind of sitting back waiting to be called, but I'll try to add to this a little bit. So Mayor and Council, what we're talking about tonight, from what I understand, is contracts so the contract authority, we still need budget. So Justin

himself, his department, he needs budget that you've already approved to be able to spend that money using those contracts. So he uses the general fund. It's like $2.4 million, including all the things that they do for public works in the general fund. Part of that, I don't have the amount on hand, is for things like this, storm cleanup and maintenance and things like that. So even though you're -- if you do approve these contracts with these larger amounts, he'd still need to find budget. And without that budget for these types of things, we'd have to come back to you still to get that secondary approval to spend more than 150,000 or more than that to do things like this that he's explaining.

WATTS: I think that helps clarify it a little bit. Thank you.

SOLDINGER: Hopefully that was helpful.

MAYOR FRIEDEL: Councilwoman McMahon.

MCMAHON: Thank you. So basically this, you know, I think we might be reading too much into it, no offense to anybody, but basically this is for on-call stormwater maintenance, like in emergency situations. It gives you the tools to do your job and to act fast in an emergency situation with any one of these vendors.

WELDY: That is correct.

MCMAHON: Okay. I make a motion to approve as stated in the suggested motion.

EARLE: I'll second that.

MAYOR FRIEDEL: We have a motion and a second. Councilwoman Earle, your light Is on.

EARLE: Oh.

MAYOR FRIEDEL: Councilmember Kalivianakis, your light Is on.

KALIVIANAKIS: Thank you, Mr. Mayor. And just to kind of reaffirm what Peggy said. You know, when I first saw this on the agenda, I almost thought this could be put on the consent agenda because, again, we're not -- they're not asking for money. They're asking for authorization to deal with emergency situations, which is just good management. And you know, to have to call a special session to try to get the roads opened up and to handle emergencies doesn't seem very practical. And so you know,

this to me is a very easy decision. And the reason that we know that it will be enforced properly is because our Town Manager and our staff, given the emergency situation, will use their best judgment to get to get it cleaned up as quickly as possible to avoid our residents having this catastrophic damage not being attended to. So like I said to me, it would be consent agenda, but yeah, I would third.

MAYOR FRIEDEL: All right. We have a motion and a second. Can we get a roll call, please?

PADGETT-ESPIRITU: Councilmember Earle?

EARLE: Permission to add a little explanation?

MAYOR FRIEDEL: Go ahead.

EARLE: Thank you. Just with clarification my vote is yes. Thank you.

PADGETT-ESPIRITU: Councilmember Larrabee?

LARRABEE: Aye.

PADGETT-ESPIRITU: Councilmember McMahon?

MCMAHON: Aye.

PADGETT-ESPIRITU: Councilmember Kalivianakis?

KALIVIANAKIS: Aye.

PADGETT-ESPIRITU: Councilmember Watts?

WATTS: Aye.

PADGETT-ESPIRITU: Vice Mayor Skillicorn?

SKILLICORN: No.

PADGETT-ESPIRITU: Mayor Friedel?

MAYOR FRIEDEL: Aye.

PADGETT-ESPIRITU: Motion passes 6 to 1.

MAYOR FRIEDEL: Thank you. And Justin, you're up for the next one as well, right? Consideration of possible action relating to job order contracts for electrical services.

WELDY: Thank you, Mr. Mayor. Mayor and Council, this is very similar. However, we have less electrical emergencies than we do flood. This is basically these agreements allow us to address our day-to-day operations that are above the level that our staff

would normally do that. And it also allows us to work with the vendors on smaller projects that we have planned. They provide their expert service. A couple of good examples recently are some work in the Community Center, where we used electrical contractors to help with the lighting and the fans and/or the sconces and/or working in any one of the parks, and occasionally on some of our streetlights in the downtown area, Avenue of the Fountains. So what we're asking for here is an increase in the contract amount for the term, very similar to the last one, just different circumstances.

MAYOR FRIEDEL: Councilwoman Larabee?

LARRABEE: Thank you, Mayor. I'd like to just move to approve the award of job order contracting electrical services agreements not to exceed 150,000 per year.

KALIVIANAKIS: Second.

MAYOR FRIEDEL: Councilmember Watts?

WATTS: Justin, I assume we have that same schedule of values for various services that you talked about with the prior issues?

WELDY: Mr. Mayor, Councilmember, that is correct.

WATTS: Does that include markup on parts or discounts off of list? Do we have a materials markup as well?

WELDY: We allow for a percentage on the markup.

WATTS: A percentage of markup on their costs or on list prices?

WELDY: On their cost so administrative service --

WATTS: 10 to 15 percent, somewhere in that area?

WELDY: I don't think it's quite that high. I don't have the number in front of me, but we -- rarely do we go that high. It's usually considerably less than that. And each individual contractor will be given a clear scope, and then they'll be able to send that back and they'll note any of their increases there for handling fees for lack of a better description.

WATTS: Thank you.

WELDY: You're welcome.

MAYOR FRIEDEL: Town Clerk, are there any speaker cards on this one?

PADGETT-ESPIRITU: No, there is not.

MAYOR FRIEDEL: We have a motion and a second. Can we get a roll call, please?

PADGETT-ESPIRITU: Councilmember McMahon?

MCMAHON: Aye.

PADGETT-ESPIRITU: Councilmember Larrabee?

LARRABEE: Aye.

PADGETT-ESPIRITU: Councilmember Earle?

EARLE: Aye.

PADGETT-ESPIRITU: Councilmember Kalivianakis?

KALIVIANAKIS: Aye.

PADGETT-ESPIRITU: Councilmember Watts?

WATTS: Aye.

PADGETT-ESPIRITU: Vice Mayor Skillicorn?

SKILLICORN: No.

PADGETT-ESPIRITU: Mayor Friedel?

MAYOR FRIEDEL: Aye.

PADGETT-ESPIRITU: Motion passes 6 to 1.

MAYOR FRIEDEL: Thank you. Item G is consideration of possible action with the Cities and Towns Legislative Bulletin. Is there any discussion on anything that we heard on the call today? Councilman Watts?

WATTS: The good news was there was no there has been no activity on sales tax on food. It's kind of been suspended for the time being, which is good news.

MAYOR FRIEDEL: Yep. Okay. Having no other discussion then we'll move on to the call to the public. Town Clerk, do we have any speaker cards?

PADGETT-ESPIRITU: Yes, Mayor. We received one, Matthew Corrigan.

CORRIGAN: Mayor, Council, thank you for the opportunity to address one thing, this call to the public. I know that the November meeting we had quite a bit of disruption, chaos, profanity, disorderly conduct to the extent that the room actually had to be cleared. After recess was taken, the Mayor made the determination that this type of

disorderly conduct did not really fit the parameters of free speech more like rioting or outbursts. That's my opinion. And so his determination was to clear the room, to move that meeting to the video part or the exterior clearing the room. I think maybe it was for safety reasons and also to conduct business for the Town.

And I just commend that decision. But mostly I commend the decision to bring back call to the public toward the end of the meeting, so that that could be controlled, number one. Number two, taking care of Town business is a priority, and I compliment everyone on taking care of that first and then hearing from members of the community to address their concerns. So just a commendation to the Mayor and the Council for bringing that back and doing it pretty swiftly, really, after the November I'll call it the November Chaos. Thank you.

MAYOR FRIEDEL: Thank you. Are there any other speakers, Town Clerk?

PADGETT-ESPIRITU: No, there is not.

MAYOR FRIEDEL: Okay. Is there any counsel direction to the Town Manager? Any future agenda items? Councilwoman Larrabee?

LARRABEE: Thank you, Mayor. I just have one, and I think it's been proposed before. But I believe I have some proposed language that I can share with our Town Manager to add to our group home ordinance regarding inspections. We had discussed possibly doing it before, and then we were kind of waiting on the state legislature. It was a little up in the air, and I believe I have language that would be helpful for us so I'd like to add that to a future agenda.

MCMAHON: I'll second that.

WATTS: I would support hearing that.

LARRABEE: Thank you.

GOODWIN: If I may, I believe this is on our radar as a staff, too. So that is something we've been working towards, I believe, between legal team as well as John. So happy to take that and make sure that that is all in alignment as we bring that item back later this spring. Perfect.

MAYOR FRIEDEL: Thank you. Anything else from anyone? Can I get a motion to

adjourn?

WATTS: Motion to adjourn.

IN UNISON: Second.

MAYOR FRIEDEL: All in favor? Aye. Thank you.

HAVING NO FURTHER BUSINESS, MAYOR GERRY M. FRIEDEL ADJOURNED THE REGULAR SESSION OF THE FOUNTAIN HILLS TOWN COUNCIL HELD ON FEBRUARY 17, 2026, AT 8:20 P.M.

APPROVED:

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GERRY FRIEDEL, MAYOR

ATTEST:

_____

ANGELA PADGETT-ESPIRITU, DEPUTY TOWN CLERK

CERTIFICATION

I HEREBY CERTIFY THAT THE FOREGOING MINUTES ARE A TRUE AND CORRECT COPY OF THE MINUTES OF THE REGULAR TOWN COUNCIL MEETING OF THE TOWN COUNCIL, FOUNTAIN HILLS, ARIZONA HELD ON FEBRUARY 17, 2026. I FURTHER CERTIFY THAT THE MEETING WAS DULY CALLED AND HELD AND THAT A QUORUM WAS PRESENT.

_____

ANGELA PADGETT-ESPIRITU, DEPUTY TOWN CLERK